REPUBLIC OF ALBANIA
THE ASSEMBLY

DRAFT 3 version 3
7 June 2010

L A W

No _____, dated _____

ON ENVIRONMENTAL PERMITTING (*)

Pursuant to the Article 78 and 83 item 1 of the Constitution, upon the proposal of the Council of Ministers,

THE ASSEMBLY

OF THE REPUBLIC OF ALBANIA

HAS DECIDED:

(*) This Law transposes Directive 2008/1/EC concerning integrated pollution prevention and control, as amended by Directive 2009/31/EC; and Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants, as amended by Directive 2009/31/EC.
This Law also transposes the basic requirements for a permitting system from the following Directives: Directive 94/63/EC on control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations; Directive 2008/98/EC on Waste; Directive 1999/31/EC on the Landfill of Waste; Directive 2000/76/EC on the Incineration of Waste; Directive 94/62/EC on Packaging and Packaging Waste, as amended by Directive 2004/12/EC and Directive 2005/20/EC; Directive 2002/96/EC on Waste Electrical and Electronic Equipment, as amended by Directive 2003/108/EC and Directive 2008/34/EC; Directive 2000/53/EC on End of Life Vehicles, as amended by Directive 2008/33/EC and by Decisions 2002/525/EC, 2005/63/EC, 2005/438/EC and 2008/689/EC; Directive 91/271/EEC concerning Urban Waste Water Treatment, as amended by Directive 98/15/EC; Directive 86/278/EEC on the protection of the environment, and in particular of the soil, when Sewage Sludge is used in agriculture, as amended by Directive 91/692/EEC; Directive 2004/42/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products , as amended by Directive 2008/112/EC.

Contents (for screening purposes only)

Part 1

General Provisions

Article 1.

Purpose

1. This Law aims at the prevention and control of pollution arising from certain categories of activities in order to achieve a high level of protection for the environment as a whole and for human health and for improving the quality of life.

Article 2

Scope

1. This Law establishes measures for permitting the operation of certain groups of polluting activities, measures designed to prevent or, where that is not practicable, to reduce emissions to the air, water and land from such activities, including measures concerning waste, in the Republic of Albania.

Article 3

Definitions

1. For the purposes of this Law the below mentioned terms shall have the following meanings:

    (a) **"best available techniques"** (BAT) means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole. For the purpose of this definition:

        i. **"techniques"** includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned;

ii. **"available techniques"** means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside Albania, as long as they are reasonably accessible to the operator;

iii. **"best"** means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole.

(b) "**Installation**" means any stationary technical unit where one or more activities are carried out, as well as those directly associated activities which have a technical connection with the activities carried out on that site and which could have an effect on emissions and pollution;

(c) "**Emission**" has the meaning given to it by the Law on Environment Protection;

(d) "**Substance**" means any chemical element and its compounds, with the exception of radioactive substances and genetically modified organisms within the meanings set out in the Law on Environmental Protection;

(e) "**Environment**" has the meaning given to it by the Law on Environment Protection;

(f) "**National Environmental Inspectorate**" has the meaning given to it by the Law on Environment Protection;

(g) "**Pollution**" has the meaning given to it by of the Law on Environment Protection;

(h) "**Emission limit value**" means the mass, expressed in terms of certain specific parameters, concentrations and/or level of an emission, which cannot be exceeded during one or more periods of time;

(i) "**Environmental quality standard**" means the set of conditions which must be fulfilled at a given time by a given environment or particular part of a given environment, as established by the Law on Environmental Protection;

(j) "**Environmental Technical standards**" means the technical limit values in relation to production technology, machinery and

equipment use, as established by the Law on Environmental Protection;

(k) "**Class A environmental permit**" means the written decision of the National Environment Agency granting authorisation to operate all or part of a Class A installation and which contains the conditions necessary to guarantee that the installation is in compliance with the requirements of this Law and other legislation;

(l) "**Class B Environmental permit**" means the written decision of the National Environment Agency granting authorisation to operate all or part of a Class B installation and which contains the conditions necessary to guarantee that the installation is in compliance with the requirements of this Law and other legislation;

(m) "**Class C environmental permit** means the written decision of the Local Government Authority granting authorisation to operate all or part of a Class C installation and which contains the conditions necessary to guarantee that the installation is in compliance with the requirements of this Law;

(n) "**Local government authority**" means the local government authority on whose territory the installation is situated;

(o) "**Environment and Forestry Agency**" has the meaning given to it by Part XI Chapter 1 of the Law on Environmental Protection;

(p) "**Regional Environmental Agency**" means the relevant regional office of the Environment and Forestry Agency;

(q) **"Minister"** means the minister in charge of environment protection;

(r) "**Ministry**" means the Ministry in charge of Environment Protection;

(s) "**Change in operation**" means, in relation to an installation, a change in the nature or functioning, or an extension of the installation which may have consequences for the environment;

(t) "**Substantial change**" means a change in operation which, in the opinion of the National Environment Agency may have significant negative effects on human beings or the environment. Any change to or extension of an operation shall be deemed to be substantial if the change or extension in itself meets the thresholds, as they are provided by this law, for of Class A installations or of Class B installations;

(u) **"Operator"** means any natural or legal person who operates or controls the installation or to whom decisive economic power over

the technical functioning of the installation has been delegated in accordance with the legislation in force;

(v) has the meaning given to it by the Law on Environment Protection;

(w) "**Public**" has the meaning given to it by the Law on Environment Protection;

(x) "**Hazardous waste**", "**Non-hazardous waste**", "**Inert waste**", "**Municipal waste**" and "**Landfill**" shall have the meanings given to them by the Law on Waste;

(y) **"National Licensing Centre"** means the agency established by the Law No 10081, dated 23.02.2009 "On licenses, authorizations and permits in the Republic of Albania";

(z) **"An existing installation"** shall mean:

i. an installation already in operation at the date that this Law is brought into effect; or
ii. an installation that has not been brought into operation at the date that this Law is brought into effect, but which has been granted a Construction Permit in accordance with the Law on Territorial Planning, provided that the construction of the installation commences within one year of the date that this Law is brought into effect.

(aa) **"A new installation"** shall mean:

i. an installation other than an existing installation.

ii. an existing installation that fails to apply for any environmental permit within the time-period set out in this Law shall be treated as though it were a new installation.

(bb) **"A discharge to water"** shall include a discharge into a sewer;

(cc) **"A day"** shall mean a normal working in accordance with the Labour Code;

(dd) **"Geological storage of CO2"** means injection accompanied by storage of CO2 streams in underground geological formations;

(ee) **"Storage site for CO2"** means a defined volume area within a geological formation used for the geological storage of CO2 and associated surface and injection facilities;

(ff) **"Geological formation"** means a lithostratigraphical sub-division within which distinct rock layers can be found and mapped;

(gg) **"CO2 stream"** means a flow of substances that results from CO2 capture processes;

(hh) **"month"** shall mean a calendar month

2. For the purposes of this Law:

   (a) Where an installation has not been put into operation, the person who will have control over its operation shall be treated as the operator of that installation;

   (b) Where an installation has ceased to be in operation, the person who holds the environmental permit which applies to the installation shall be treated as the operator of that installation.

3. For the purposes of Part 2 Chapter 4 of this law, the below mentioned terms shall have the following meanings:

   (a) **'Waste gases'** means gaseous discharges containing solid, liquid or gaseous emissions; their volumetric flow rates shall be expressed in cubic metres per hour at standard temperature (273 K) and pressure (101,3 kPa) after correction for the water vapour content, hereinafter referred to as (Nm3/h);

   (b) **'emission limit value'** means the permissible quantity of a substance contained in the waste gases from the combustion plant which may be discharged into the air during a given period; it shall be calculated in terms of mass per volume of the waste gases expressed in mg/Nm3, assuming an oxygen content by volume in the waste gas of 3 % in the case of liquid and gaseous fuels, 6 % in the case of solid fuels and 15 % in the case of gas turbines;

   (c) **'rate of desulphurisation'** means the ratio of the quantity of sulphur which is not emitted into the air at the combustion plant site over a given period to the quantity of sulphur contained in the fuel which is introduced into the combustion plant facilities and which is used over the same period;

   (d) '**fuel'** means any solid, liquid or gaseous combustible material used to fire the combustion plant with the exception of waste covered by the Law on Waste;

   (e) '**combustion plant**' means any technical apparatus in which fuels are oxidised in order to use the heat thus generated;

   (f) '**multi-fuel firing unit**' means any combustion plant which may be fired simultaneously or alternately by two or more types of fuel;

   (g) '**new combustion plant**' means any combustion plant for which the original construction licence *(operation permit)* was granted on or after [1 July 1987];[27 November 2002 (from Article 4(1) for 'old new plants)] Directive date. TBD by the Ministry

(h) '**existing combustion plant**' means any combustion plant for which the original construction licence *(operation permit)* was granted before 1 July 1987 [27 November 2002];

(i) '**biomass**' means products consisting of any whole or part of a vegetable matter from agriculture or forestry which can be used as a fuel for the purpose of recovering its energy content and the following waste used as a fuel:

i. vegetable waste from agriculture and forestry;
ii. vegetable waste from the food processing industry, if the heat generated is recovered;
iii. fibrous vegetable waste from virgin pulp production and from production of paper from pulp, if it is co-incinerated at the place of production and the heat generated is recovered;
iv. cork waste;
v. wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coating, and which includes in particular such wood waste originating from construction and demolition waste;

(j) '**gas turbine**' means any rotating machine which converts thermal energy into mechanical work, consisting mainly of a compressor, a thermal device in which fuel is oxidised in order to heat the working fluid, and a turbine.

Article 4

System of permitting

1. In accordance with the Law No. _____, dated____ "On Environment Protection" a system of three Classes of environmental permitting is established.

2. A Class A environmental permit is required for Class A activities. The determining of detailed conditions, verifying their compliance and the issuing of the Class A environmental permit, is a competence of the Environment and Forestry Agency.

3. Annex 1/a to this Law sets out the categories of activities and any relevant thresholds for Class A activities.

4. A Class B environmental permit is required for Class B activities. The determining of detailed conditions, verifying their compliance and the issuing of the Class B environmental permit, is a competence of the Environment and Forestry Agency.

5. Annex 1/b to this Law sets out the categories of activities and any relevant thresholds for Class B activities.

6. A Class C environmental permit is required for Class C activities. The issuing of the Class C environmental permit for Class C activities is a competence of the relevant Local Government Authorities.

7. Annex 1/c to this Law sets out the categories of activities and any relevant thresholds for Class C activities.

Part 2

Class A environmental permits

Chapter 1

Procedure and method for determining Best Available Techniques

Article 5

Best Available Techniques

1. When determining Best Available Techniques (BAT) for categories of Class A activities or for a specific installation, the National Environment Agency shall take into account:

   (a) The use of low-waste technology;

   (b) The use of less hazardous substances;

   (c) Where appropriate, the furthering of recovery and recycling of substances used and generated in the operation process;

   (d) Where appropriate, the recovery and recycling of waste;

   (e) Comparable processes, facilities or methods of operation which have been successfully tried on an industrial scale;

   (f) Technological advances and changes in scientific knowledge and understanding;

   (g) The type, nature, effects and volume of the emissions;

(h) The date of putting into operation of new and existing installations;

(i) The period of time needed to introduce BAT;

(j) The type, nature and consumption of the raw materials, including water, used in the process;

(k) energy efficiency;

(l) The necessity to prevent or, where this is not practicable, to reduce to a minimum, the overall impact of the emissions on the environment and the risks to the environment;

(m) The necessity to prevent accidents or, where an accident occurs, to minimise the consequences for the environment;

(n) Any information published by the European Commission and international organisations on Best Available Techniques, associated monitoring, and any developments in these.

2. When determining BAT in accordance with paragraph 1, consideration shall be given to:

(a) the likely costs and benefits of a certain measure;

(b) the objectives of environmental protection set out in Article 2 of the Law on Environmental Protection; and

(c) the guiding policy principles of environmental protection set out in Part 2 of the Law on Environmental Protection.

Article 6

Reference documents on Best Available Techniques

1. When determining BAT in accordance with Article 5 of this law, consideration shall be given to:

(a) BAT reference documents approved by the Minister;

(b) BAT Reference documents prepared by the European Commission (EU-BREFs);

(c) best international practice.

2. The Minister shall establish Technical Working Groups and its working procedures for the purposes of developing any BAT Reference documents under paragraph 1 (a) above.

3. The Technical Working Groups referred to in paragraph 2 above, consist of representatives from:

    (a) the Ministry;
    (b) Environment and Forestry Agency;
    (c) National Environment Inspectorate;
    (d) Other relevant ministries, when their area of competence is directly linked with the question in matter;
    (e) Relevant industries when their area of operation is directly linked with the question in matter;
    (f) Relevant industrial organisations, when their area of competence is directly linked with the question in matter;
    (g) Universities or other research institutions, when their area of research is directly linked with the question in matter;;
    (h) Non-governmental organisations, when their area of competence is directly linked with the question in matter.

4. Any BAT Reference document prepared by a Technical Working Group established under paragraph 2 above is approved by the Minister.

5. Any BAT Reference document approved pursuant to paragraph 4 shall be electronically published.

6. The National Environment Agency shall establish and maintain an information system on the documents referred to in paragraph 1 above. The information system shall be made available to the public and which should be accessible electronically.

Article 7

Developments in BAT

1. The Ministry and the National Environment Agency shall keep themselves informed and up-to-date of developments in Best Available Techniques.

Chapter 2

Class A environmental permit

Article 8

General Requirement for a Class A environmental permit to operate

1. Subject to the provisions of Article 52 (transitional periods for existing installations) no person shall operate an installation of Class A after the coming into force of this Law except under and to the extent authorised by a Class A environmental permit granted by the Environment and Forestry Agency.

2. A Class A environmental permit may authorise the operation of more than one installation on the same site operated by the same operator, but may not otherwise authorise the operation of more than one installation.

3. A Class A environmental permit shall not be granted to an applicant if the National Environment Agency considers that the applicant will not be the person who will have control over the operation of the installation concerned after the grant of the Class A environmental permit or will not ensure that the installation concerned is operated in compliance with the conditions which would be included in the Class A environmental permit.

Article 9

General principles governing the basic obligations of the Class A environmental permits holder

1. When determining the conditions of a Class A environmental permit, the National Environment Agency shall ensure that installations are operated in such a way that:

   (a) all appropriate preventative measures are taken against pollution, in particular through the application of Best Available Techniques;

   (b) no significant pollution is caused;

   (c) waste production is avoided in accordance with the Waste Law. Where waste is produced, it is recovered or, where this is technically and economically impossible, it is disposed of while avoiding or reducing any impact on the environment;

   (d) energy is used efficiently;

   (e) water is used efficiently;

   (f) the necessary measures are taken to prevent accidents and to limit their consequences; and

   (g) on the definite cessation of activities, the necessary measures are taken to avoid any pollution risk and to return the site of the installation to a satisfactory state.

Article 10

Conditions of Class A environmental permits: Specific requirements

1. A Class A environmental permit shall contain:

   (a) Emission limit values for pollutants, in particular those listed in Annex 2, likely to be emitted from the installation concerned in significant quantities, having regard to their nature and their potential to transfer pollution from one environmental component to another;

   (b) Where appropriate, the emission limit values required by paragraph (a) above may apply to groups of pollutants rather than to individual pollutants;

   (c) The emission limit values required by paragraph (a) above shall normally apply at the point where the emissions leave the installation, any dilution being disregarded when determining them. With regard to indirect releases into water, the effect of a water treatment plant may be taken into account when determining the emission limit values of the installation concerned, provided that an equivalent level is guaranteed for the protection of the environment as a whole and provide that this does not lead to higher levels of pollution in the environment;

   (d) Where Technical Standards have been set out pursuant to the Law on Environmental Protection or the Law on Water Resources or the Air Protection Law or the Noise Law, those Technical Standards shall be considered as maximum emission limit values for the purposes of paragraph (a) above;

   (e) Subject to paragraph (g), the emission limit values required by paragraph (a) above shall be based on the best available techniques for the description of the installation concerned, without prescribing the use of any technique or specific technology, but shall take into account the technical characteristics of the installation concerned, its geographic location and the local environmental conditions;

   (f) For installations under part A 6.5 and 6.6 of Annex 1.A the emission limit values required by paragraph (a) above shall take into account any practical considerations appropriate to those categories of installation.

   (g) Where an environmental quality standard requires stricter emission limit values than those that would be imposed by paragraph (e) above, paragraph (a) shall require those stricter emission limit values;

   (h) Where a landfill covered by points 5.1 and 5.4 in Annex 1.A meets the technical requirements for such landfills set out in other specific

legislation on landfills, such landfills shall be deemed to meet the technical requirements required by this Law;

(i) Where appropriate, the emission limit values required by paragraph (a) above may be supplemented or replaced by equivalent parameters or technical measures.

2. A Class A environmental permit shall also contain conditions:

(a) Aimed at minimising long-distance or trans-boundary pollution;

(b) Ensuring a high level of protection of the environment as a whole;

(c) If necessary, ensuring protection of the soil;

(d) If necessary, ensuring protection of groundwater;

(e) If necessary, ensuring appropriate management of waste generated by the installation;

(f) Setting out suitable release monitoring requirements, specifying the measurement methodology and frequency, evaluation procedure, and ensuring the operator supplies the National Environment Agency and the National Environment Inspectorate with the data required to check compliance with the Class A environmental permit. However, for installations under point A 6.5 and 6.6 in Annex 1.A the requirements of this sub-paragraph may take account of costs and benefits;

(g) Relating to the periods when the installation is not operating normally: Where there is a risk that the environment may be affected during such periods appropriate conditions shall be included related to the start-up of operations, leaks, malfunctions, momentary stoppages and definitive cessation of operations;

(h) Setting out the steps to be taken prior to the operation of the installation;

(i) Setting out the steps to be taken after the definitive cessation of operations of the installation;

(j) Requiring the operator to regularly supply the National Environment Agency and the National Environment Inspectorate with the results of the monitoring of emissions;

(k) Requiring the operator to inform the National Environment Agency and the National Environment Inspectorate without delay of any incident or accident which is, or which may, significantly affect the environment; and

(l) If necessary, such other specific conditions which, in the opinion of the Environment and Forestry Agency, are required to achieve the purposes of this Law.

3. Where emissions of a greenhouse gas from an installation are specified in other specific legislation on greenhouse gas emission allowance trading scheme in relation to an activity carried out in that installation, the Class A environmental permit shall not include an emission limit value for direct emissions of that gas unless it is necessary to ensure that no significant local pollution is caused. The provisions of this paragraph shall not apply to installations temporarily excluded from such a scheme.

4. The Class A environmental permit may contain such other conditions as are required by other legislation in force related to environment protection as a whole. In any case these conditions shall not come into conflict with the provision of this law as far as not foreseen differently in it.

Article 11

Application for a Class A environmental permit

1. A written application for Class A environmental permit, as stipulated in paragraph 7 of this article, shall be submitted to the National Environment Agency in accordance with the procedures foreseen in article 48 of this law, and shall contain:

   (a) The name, address and telephone number of the applicant, and, if different, any address to which correspondence relating to the application should be sent;

   (b) The address of the site of the installation;

   (c) A map or plan showing the site and the location of the installation on that site;

   (a) The name of any municipality or commune in whose area the site is located;

   (b) A description of the installation and the activities to be carried out in the installation, and any other directly associated activities to be carried out on the same site as the installation which will have a technical connection with those listed activities and which could have an effect on emissions and pollution;

   (c) A report on the conditions of the site of the installation. This report shall, in particular, identify any substance on, in or under the land which may be a pollution risk;

   (d) Process flow diagrams of the production processes intended to be used;

   (e) The raw and auxiliary materials, including water, other substances and the energy to be used in or generated by the installation;

(f) The nature, quantities and sources of emissions from the installation into each environmental medium, as well as identification and a description of any significant effects of the emissions on the environment;

(g) The proposed technology and other techniques for preventing or, where this is not possible, reducing emissions from the installation;

(h) The proposed measures and methods to be taken to monitor the emissions from the installation;

(i) Where necessary, a description of the measures to be taken for the prevention and recovery of waste generated by the installation;

(j) A description of any proposed additional measures to be taken to comply with the general principles set out in Article 9 of this law;

(k) The main alternatives in production methods and techniques, if any, studied by the applicant in outline;

(l) Any additional information which the applicant wishes to be taken into account when the application is being considered; and

(m) A non-technical summary of the information referred to in the previous sub-paragraphs.

2. Where an installation required an Environmental Impact Assessment Report in accordance with the Law on Environmental Impact Assessment, the application for a Class A environmental permit shall also include any relevant information obtained or conclusions reached in relation to the installation from that Environmental Impact Assessment.

3. Where an installation is required to prepare a Safety Report in accordance with the Law on the Prevention of Major Accident Hazards, that Safety Report may be included in or attached to the application for a Class A environmental permit.

4. Where appropriate, the application for a Class A Environmental Permit for an existing installation shall be accompanied by:

(a) a copy of any Water Permit issued pursuant to the Law on Water Resources relevant to the installation;

(b) a copy of any Waste Management Licence issued pursuant to the Waste Law relevant to the installation;

(c) an existing copy of any environmental permit or environmental authorisation, as the case may be, relevant to the installation; and

(d) a copy of the Development, Construction or Utilisation Permit relevant to the installation, as foreseen by the legislation on Territorial Planning in the Republic of Albania.

5. The applicant shall send to the Environment and Forestry Agency, the signed original application for a Class A environmental permit and eight (8) copies of the application.

6. The National Environment Agency shall consider an application for a Class A environmental permit as valid, only after the applicant has paid or prove to have paid the fee foreseen in article 49 of this law. An application for a Class A environmental permit shall not be considered as completed if the fee has not been paid accordingly.

7. The Minister shall endorse a format to be used for an application for a Class A environmental permit, which shall enter into force after the publication in the Official Journal.

Article 12

Examination of the application for a Class A environmental permit

1. Upon receiving of an application for a Class A environmental permit under Article 11 above the National Environment Agency shall immediately inform the applicant in writing of the safe receipt of the application.

2. Within 14 days of receiving the application for a Class A environmental permit the National Environment Agency shall send a copy of the application to:

   (a) the municipality or commune in whose area the installation is situated;

   (b) the District Council;

   (c) the National Environment Inspectorate;

   (d) the River Basin District Authority in whose area the installation is situated;

   (e) where the operation of the installation may involve the release of any substance into a sewer, the operator of that sewer system;

   (f) where the operation of the installation may involve an emission which may affect a Nature Protected Area, the authorities responsible for management of such area.

3. Within 30 days of receiving the application for a Class A environmental permit, the National Environment Agency may request, in writing, such further information from the applicant as the National Environment Agency

considers is necessary. The request shall specify the reason or reasons for the request.

4. The applicant shall send the further information requested under paragraph 3 to the National Environment Agency within 30 days of the request. The applicant and the National Environment Agency may, in writing, extend this 30 day period for such period as may be mutually agreed.

5. If the applicant fails to send the further information requested under paragraph 3 within the time period set out in paragraph 4, the National Environment Agency shall treat the application as being withdrawn and shall inform the applicant and the National Licensing Centre of this fact in writing.

6. Upon receipt of the further information requested under paragraph 3 above, the National Environment Agency shall immediately send such further information to the authorities referred to in paragraph 2 above.

7. Within 45 days of the receipt of an application for a Class A environmental permit by the National Environment Agency under paragraph 1 above, the National Environment Agency and such authorities referred to in paragraph 2 above may visit the site of the installation to inspect the site so as to verify any information contained in that application.

8. The authorities referred to in paragraph 2 above may comment on the application for a Class A environmental permit. Such comments may be in writing or electronic version and shall be addressed to the Environment and Forestry Agency. Such comments shall be made within a period of 45 days after the date referred to in paragraph 2, or the date referred to in paragraph 6 of this article, where an inspection of the site of installation has been carried out in accordance with paragraph 6 of this article. Where an authority does not send any comment to the National Environment Agency within that time period, that authority shall be deemed to have no comment to the application.

Article 13

Public notice of the application for a Class A environmental permit

1. Subject to the provisions of Article 45, within a period of 14 days of submitting the application for a Class A environmental permit to the National Environment Agency and when this application is deemed valid in accordance with the provision of article 11 of this law, the applicant shall also publish a notice in at least one newspaper in the area of the installation and in one national newspaper. The notice shall be published in at least two consecutive issues of the newspapers.

2. The applicant shall send a copy of the notices referred to in paragraph 1 to the Environment and Forestry Agency. The National Environment Agency shall also place such a notice on its website.

3. A notice required by paragraph 1 shall:

   (a) state whether the application is for a new Class A environmental permit or an application for a revision of the permit or any conditions contained in that permit;

   (b) state the name of the applicant;

   (c) state the address of the site of the installation;

   (d) briefly describe the activities to be carried out in the installation;

   (e) include a description of the elements listed in Article 11.1;

   (f) state where applicable, that the application is subject to a national or transboundary Environmental Impact Assessment in accordance with the Law "On Environmental Impact Assessment";

   (g) state where applicable, that the application is subject to transboundary consultations;

   (h) state that the National Environment Agency is responsible for making a decision on the application, and state the nature of the possible decisions, and that all options are open;

   (i) where relevant, the details relating to the review and updating of the permit or permit conditions;

   (j) state where and how the application and other relevant information including the main reports and, if relevant further information, may be viewed, the times it will be available for viewing and that it may be viewed free of charge;

   (k) state that any person who wishes to comment on the application or to ask questions on the application may do so in writing or electronically to the National Environment Agency within 30 days of the date of the notice, and give the address of the Environment and Forestry Agency.

Article 14

Public consultation on the application for a Class A environmental permit

1. Subject to the provisions of Articles 45, where a municipality or commune receives a copy of an application for a Class A environmental permit as it would appear on the public register from the National Environment Agency it shall immediately make the application available for viewing by any member

of the public in the municipality offices or commune offices during normal office hours.

2. Where a member of the public wishes to view an application for a Class A environmental permit in the municipality offices or commune offices, he shall be entitled to do so free of charge.

3. Where a member of the public wishes to obtain a photocopy of an application for a Class A Environmental Permit from the municipality offices or commune offices, that office may charge the sum covering such photocopying expenses.

4. Any member of the public may comment on an application for a Class A environmental permit. Any such comments shall be in writing or may be made electronically and shall be addressed to the Environment and Forestry Agency.

5. Any comments made pursuant to paragraph 4 shall be made within 30 days of the notice appearing in a national newspaper pursuant to Article 13.1 of this law.

6. Where an applicant is required to publish a notice under Article 13 and is required to publish a notice under Article 26 of the Law No. ___, dated___"On Environmental Impact Assessment", he may, if he so chooses, publish a combined notice that meets the requirements of that Law and of this Law.

Article 15

Decision on the application for a Class A environmental permit

1. The National Environment Agency shall make a decision whether to grant a Class A environmental permit containing conditions in accordance with Articles 9 and 10 of this law, or to refuse a Class A environmental permit for an installation.

2. The Minister shall endorse a format to be used for the decision whether to grant or refuse a Class A environmental permit.

3. In making a decision referred to in paragraph 1 the National Environment Agency shall take into account:

   (a) any comments received within the period allowed from the authorities referred to in Article 12.8 of this law;

   (a) any comments received within the period allowed from any member of the public pursuant to Article 14.4 of this law; and

   (b) where relevant, any relevant information obtained or conclusion reached in relation to that installation from the Environmental Impact Assessment

carried out for that installation pursuant to the Law on Environmental Impact Assessment.

4. The decision referred to in paragraph 1 of this article, shall be made by the National Environment Agency within nine months of the date of informing the applicant of the safe receipt of the application for an Class A Environmental Permit as provided by Article 12 of this law.

5. The time period referred to in paragraph 4 may be extended for such period as the National Environment Agency and the applicant may agree in writing, subject to the requirement that any such extended period may not be for longer than a further four month period.

6. For the purpose of calculating the nine months period mentioned in paragraph 4 no account shall be taken of any period beginning with the date on which an application for further information is made pursuant to Article 12.3 and ending on the date on which the applicant provides the information requested.

7. If the National Environment Agency fails to make a determination within the period specified in paragraphs 4 or 5 of this article, the applicant may commence proceedings in accordance with the Administrative Procedures Code.

8. The National Environment Agency shall inform the applicant and the National Licensing Centre of its decision under paragraph 1 above in writing within five days of making its decision. The decision on the refusal of the application for a Class A environmental permit shall state all reasons for so refusing the application.

9. Where the decision is that the Class A environmental permit shall be granted the National Environment Agency shall send to the National Licensing Centre an electronic copy of the permit and a copy of the permit to the applicant.

10. The National Environment Agency shall place a copy of the decision and the permit including its conditions, if relevant, on the register referred to in Article 45. Where relevant the Register shall include any subsequent updates to the permit or its conditions.

11. The register shall also contain a statement from the National Environment Agency that it examined the concerns and comments received from the public, information on the public consultation process, and the reasons and considerations on which the decision was based.

12. Within three days of making its decision under paragraph 1 above the National Environment Agency shall forward a copy of the information set out in paragraphs 10 and 11 to the municipality or commune.

Chapter 3

Change in operation

Article 16.

Proposed change in operation of a Class A installation

1. Where the operator of a Class A installation proposes to make a change in the operation of that installation he shall, at least 14 days before making that change, notify the Environment and Forestry Agency.

2. A notification under paragraph 1 shall be in writing and shall contain a description of the proposed change in the operation of the installation.

3. The National Environment Agency shall acknowledge the receipt of any notification received under paragraph 1. Such acknowledgement shall be in writing to the operator and shall be made within five days of receipt of the notification referred to in paragraph 1.

4. It necessary, the National Environment Agency shall update the Class A environmental permit or the conditions included in that permit.

5. Where the National Environment Agency decides to update the Class A environmental permit or the conditions included in that permit, it shall notify the operator in writing specifying the update of the permit and the date or dates on which the update is to take effect. The National Environment Agency shall at the same time also notify in electronic way the National Licensing Centre, and shall also place a copy of the updated Class A environmental permit on the Register referred to in Article 45.

Article 17

Proposed substantial change in operation of a Class A installation

1. Where in the opinion of the National Environment Agency a proposed change in the operation of a Class A installation notified by the operator pursuant to Article 16 of this law, would result in a substantial change to that operation, National Environment Agency shall inform the operator on the necessity for applying for a change in the permit conditions in order for the installation to continue its operation after such change has taken place.

2. The provisions of Articles 11 to 15 shall apply to an application to change the permit conditions so though the words “application for a Class A

Environmental Permit" shall read "application for a change in the conditions of the Class A Environmental Permit".

3. The application for the change in permit conditions shall cover those parts of the installation that may be affected by the proposed change and those aspects of the Article 11 that may be affected by the proposed change.

4. Where the National Environment Agency decides to change the conditions of the Class A environmental permit it shall notify the operator in writing specifying the changes in the conditions of the permit and the date or dates on which the changes are to take effect. The National Environment Agency shall at the same time also notify in electronic way the National Licensing Centre, and shall also place a copy of the revised Class A environmental permit on the Register referred to in Article 45.

5. The National Environment Agency shall consider an application for a change in the conditions of a Class A environmental permit as valid, only after the applicant has paid or prove to have paid the fee foreseen in article 49 of this law. An application for a change in the conditions of a Class A environmental permit shall not be considered as completed if the fee has not been paid accordingly.

Article 18

Review and updating of Class A environmental permit conditions

1. The National Environment Agency shall periodically, and at least once every seven years, review the conditions of the Class A environmental permit.

2. If as a result of the review mentioned in paragraph 1 the National Environment Agency is of the opinion that the conditions of the Class A Environmental Permit must be updated, it shall do so and notify the operator and the National Licensing Centre accordingly.

3. Without prejudice to paragraph 1, the National Environment Agency shall conduct a review of a Class A Environmental Permit and, if necessary, update the conditions of that permit, where:

   (a) the pollution caused by the installation covered by the Class A Environmental Permit is of such significance that the existing emission limit values of the Class A Environmental Permit need to be revised or new emission limit values need to be included in the Class A Environmental Permit;

   (b) substantial changes in the best available techniques make it possible to reduce emissions from the installation significantly without imposing excessive costs;

(c) the operational safety of the process or activities carried out in the installation requires other techniques to be used;

(d) is required by the legislation in force.

4. Where paragraph 3(a) applies, the National Environment Agency shall inform the operator on the necessity for applying for a change in the permit conditions in order for the installation to continue its operation after such change has taken place.

5. The provisions of Articles 11 to 15 shall apply to an application to change the permit conditions so though the words "application for a Class A Environmental Permit" shall read "application for a change in the conditions of the Class A Environmental Permit".

6. Where the National Environment Agency decides to update the Class A environmental permit or the conditions included in that permit, it shall notify the operator in writing specifying the update of the permit and the date or dates on which the update is to take effect. The National Environment Agency shall at the same time also notify in electronic way the National Licensing Centre, and shall also place a copy of the updated Class A environmental permit on the Register referred to in Article 45.

Chapter 4

Additional requirements for Large Combustion Plants

Article 19

Scope of Chapter 4

1. Subject to paragraph 2, this Chapter shall apply to combustion plants, the rated thermal input of which is equal to or greater than 50 MW, irrespective of the type of fuel used (solid, liquid or gas).

2. This Chapter shall apply only to combustion plants designed for production of energy with the exception of those which make direct use of the products of combustion in manufacturing processes. This Chapter shall not apply to the following combustion plants:

(a) plants in which the products of combustion are used for the direct heating, drying, or any other treatment of objects or materials e.g. reheating furnaces, furnaces for heat treatment;

(b) post-combustion plants i.e. any technical apparatus designed to purify the waste gases by combustion which is not operated as an independent combustion plant;

(c) facilities for the regeneration of catalytic cracking catalysts;

(d) facilities for the conversion of hydrogen sulphide into sulphur;

(e) reactors used in the chemical industry;

(f) coke battery furnaces;

(g) cowpers;

(h) any technical apparatus used in the propulsion of a vehicle, ship or aircraft;

(i) gas turbines used on offshore platforms;

(j) gas turbines licensed before 27 November 2002; Directive date. TBD by the Ministry

(k) any plant powered by diesel, petrol and gas engines.

3. Where two or more separate new combustion plants are installed in such a way that, taking technical and economic factors into account, their waste gases could, in the opinion of the Environment and Forestry Agency, be discharged through a common stack, the combination formed by such plants shall be regarded as a single unit.

Article 20

Emission Reduction Programmes.

1. The Ministry shall draw up appropriate programmes for the progressive reduction of total annual emissions from existing combustion plants. These programmes shall set out the timetables and implementing procedures.

2. The reduction programme shall ensure compliance with any emission ceilings or percentage reductions established by sulphur dioxide or oxides of nitrogen established under the Law on Environmental Protection.

3. In the event that a substantial and unexpected change in energy demand or in the availability of certain fuels or certain generating installations creates serious technical difficulties for the implementation of the reduction programme, then the reduction programme may be revised accordingly. Such revision may include revision of any emission ceilings or any dates set out for compliance with those emission ceilings.

4. The Government, upon proposal of the minister, shall endorse the detailed rules for the drawing up, endorsing, reviewing and implementing of the reduction programmes.

Article 21

Emission Limit Values

1. The Class A Environmental Permit for new combustion plants shall contain conditions concerning emissions of sulphur dioxide, nitrogen oxides and dust that are not less strict than the emission limit values set out in Part B of Annexes 3 to 7 of this law.

2. The Class A Environmental Permit for existing combustion plants shall contain details of a compliance plan that will ensure that by [1 January 2008] **{Directive date. TBD by the Ministry}** emissions of sulphur dioxide, nitrogen oxides and dust will have been reduced to, at least, the emission limit values set out in Part A of Annexes 3 to 7 of this law.

   [Note that this paragraph 2 is assuming that Albania will not prepare and implement a national emission plan (which is the alternative mechanism to implement LCP Directive for existing LCPs]

3. The National Environment Agency may exempt an existing combustion plant from compliance with the emission limit values referred to in paragraph 2 if:

   (a) The operator of that existing combustion plant in agreement with National Environment Agency undertakes a condition to not operate that combustion plant for more than 20.000 operational hours from the date of the agreement and ending no later than 31 December 2015 **{Directive date. TBD by the Ministry}** as part of his application for a Class A Environmental Permit; and

   (b) It is a condition of the Class A Environmental Permit that the operator submits as part of its annual report to Environment and Forestry Agency, a record setting out the used and unused time allowed for the remaining operational life of that combustion plant.

4. The National Environment Agency may allow a suspension from the obligation to comply with the emission limit values for sulphur dioxide referred to in paragraphs 1 or 2 in respect of a combustion plant which normally uses low-sulphur fuel, where:

   (a) The operator is unable to comply with those emission limit values because of an interruption in the supply of low-sulphur fuel resulting from a serious shortage, and

   (b) The period of the suspension shall not exceed six months.

5. The National Environment Agency may allow a derogation of a combustion plant which normally uses only gaseous fuel from the obligation to comply with the emission limit values referred to in paragraphs 1or 2, where:

   (a) That combustion plant that would otherwise need to be equipped with a waste gas purification facility, has to resort exceptionally, and for a period not exceeding 10 days, to the use of other fuels because of a sudden interruption in the supply of gas,
   (b) The limit of 10 days in sub-paragraph (a) may be extended where there is an overriding need to maintain energy supplies; and
   (c) The operator shall inform in advance the Environment and Forestry Agency.

6. In the case of plants with a multi-firing unit the emission limit values shall be set in accordance with Annex 8 of this law.

Article 22

Waste Gases

1. Waste gases from combustion plants shall be discharged in controlled fashion by means of a stack.

2. The Class A Environmental Permit shall contain conditions for discharge of waste gases.

3. In setting the conditions referred to in paragraph 2 of this article, the National Environment Agency shall ensure that the stack height has been calculated in such a way as to safeguard human health and the environment.

Article 23

Malfunction or Breakdowns

1. The Class A Environmental Permit for any combustion plant shall contain conditions relating to malfunction or breakdown of the abatement equipment.

2. In case of a breakdown the National Environment Agency shall require the operator of that combustion plant to reduce or close down operations if there is not a return to normal operations within 24 hours, or to operate the combustion plant using less polluting fuels. In no circumstances may the cumulative duration of un-abated operation of a combustion plant exceed 120 hours in any 12-month period.

3. In case of a breakdown the operator shall inform the National Environment Agency within 48 hours from the moment of the occurrence.

4. The National Environment Agency may allow for an exception to the limits of 24 hours and 120 hours referred to in paragraph 2 where, in the opinion of the Environment and Forestry Agency:
   (a) There is an overriding need to maintain energy supplies; or
   (b) The combustion plant with the breakdown would be replaced for a limited period by another combustion plant which would cause an overall increase in emissions.

Article 24

Combined Heat and Power and geological storage of carbon dioxide

1. The National Environment Agency shall ensure that an application for a Class A Environmental Permit for a new combustion plant shall have examined the technical and economic feasibility of providing for combined heat and power. Where this feasibility is confirmed, bearing in mind the market and the distribution system, installations shall be developed accordingly.

2. The National Environment Agency shall ensure that an application for a Class A Environmental Permit for a combustion plant with a rated output of 300MW or more and which was granted its original construction permit after 25 June 2009, shall have assessed whether the following conditions are met:
   a. suitable storage sites for CO2 are available;
   b. transport facilities are technically and economically feasible; and
   c. it is technically and economically feasible to retrofit for CO2 capture.

3. The National Environment Agency shall determine whether the conditions set out in paragraph 2 are met on the basis of the assessment contained in the application and on other available information, particularly concerning the protection of the environment and human health;

4. Where, in the opinion of the Environment and Forestry Agency, the conditions set out in paragraph 2 are met, the National Environment Agency shall ensure that suitable space on the installation site for the equipment necessary to capture and compress CO2 is set aside.

Article 25

Extension or substantial change in operation

1. Where a combustion plant is extended by at least 50 MW, the emission limit values set in Part B of Annexes 3 to 7 shall apply to the new part of that

combustion plant and shall be fixed in relation to the thermal capacity of the entire combustion plant. This provision shall not apply in the cases referred to in Annex 8 paragraph 2.

2. Where the operator of a combustion plant is considering a substantial change in operation, the National Environment Agency shall set conditions in the Class A Environmental Permit in accordance with Article 17 of this Law which shall set emission limit values for sulphur dioxide, nitrogen oxides and dust that are not less strict than the emission limit values set out in Annexes 3 to 7 of this law.

Article 26

Monitoring

1. The Class A Environmental Permit shall contain such conditions to ensure that the operator of that combustion plant:

    (a) Monitors the emissions from that combustion plant in accordance with Annex 9;
    (b) Monitors all other values to ensure compliance with the provisions of the Class A Environmental Permit and of this Law;
    (c) Reports to the National Environment Agency within reasonable time limits about:

        i. the results of any continuous monitoring,
        ii. the checking of any measuring equipment,
        iii. the individual measurements, and
        iv. all other measurements which are required in the Class A Environmental Permit to ensure compliance with the provisions of the Class A Environmental Permit and of this Law.

2. In cases where continuous measurements are required, the emission limit values set out in part A of Annexes 3 to 7 shall be regarded as having been complied with if the evaluation of the results indicates, for operating hours within a calendar year, that, disregarding start-up and shut-down periods and breakdown periods:

    (a) none of the calendar monthly mean values exceeds the emission limit values; and
    (b) in the case of:
        i. sulphur dioxide and dust: 97 % of all the 48 hourly mean values do not exceed 110 % of the emission limit values,
        ii. nitrogen oxides: 95 % of all the 48 hourly mean values do not exceed 110 % of the emission limit values.

3. In cases where only discontinuous measurements or other appropriate procedures for determination are required, the emission limit values set out in

Annexes 3 to 7 shall be regarded as having been complied with if the results of each of the series of measurements do not exceed the emission limit values.

4. For new combustion plants the emission limit values shall be regarded as having been complied with, as regards operating hours within a calendar year, disregarding start-up and shut-down periods and breakdown periods, if:

   (a) no validated daily average value exceeds the relevant figures set out in part B of Annexes 3 to 7, and
   (b) 95 % of all the validated hourly average values over the year do not exceed 200 % of the relevant figures set out in part B of Annexes 3 to 7 of this law.

   The 'validated average values' stipulated in point (a) and (b) of this paragraph are determined as set out in paragraph 7 of Annex 9 of this law.

5. The operator of each combustion plant shall report annually to the National Environment Agency for each plant at a given location:
   (a) The total annual emissions of SO_2, NOx and dust (as total suspended particles);
   (b) The total annual amount of energy input, related to the net calorific value, broken down in terms of the five categories of fuel: biomass, other solid fuels, liquid fuels, natural gas, other gases.

6. The National Environment Agency shall maintain and keep up-to-date an register containing:
   (a) the information set out in paragraph 5;
   (b) A record of any used and unused time allowed for the remaining operational life of the combustion plant.

Part 3,

Class B Environmental Permits

Chapter 1,

General requirements for Class B environmental permit

Article 27

General Requirement for a Class B environmental permit to operate

1. Subject to the provisions of Article 52 no person shall operate an installation of Class B after the coming into force of this Law except under and to the extent authorised by a Class B environmental permit granted by the Environment and Forestry Agency.

2. A Class B environmental permit may authorise the operation of more than one installation on the same site operated by the same operator, but may not otherwise authorise the operation of more than one installation.

3. A Class B environmental permit shall not be granted to an applicant if the National Environment Agency considers that the applicant will not be the person who will have control over the operation of the installation concerned after the grant of the Class B environmental permit or will not ensure that the installation concerned is operated in compliance with the conditions which would be included in the Class B environmental permit.

Article 28

Conditions of Class B environmental permits: Specific requirements

1. A Class B environmental permit shall contain:

(a) Emission limit values for pollutants, in particular those listed in Annex 2, likely to be emitted from the installation concerned in significant quantities, having regard to their nature and their potential to transfer pollution from one environmental component to another;

(b) Where appropriate, the emission limit values required by paragraph (a) above may apply to groups of pollutants rather than to individual pollutants;

(c) The emission limit values required by paragraph (a) above shall normally apply at the point where the emissions leave the installation, any dilution being disregarded when determining them. With regard to indirect releases into water, the effect of a water treatment plant may be taken into account when determining the emission limit values of the installation concerned, provided that an equivalent level is guaranteed for the protection of the environment as a whole and provide that this does not lead to higher levels of pollution in the environment;

(d) Where Technical Standards have been set out pursuant to the Law on Environmental Protection or the Law on Water Resources or the Air Protection Law or the Noise Law, those Technical Standards shall be considered as maximum emission limit values for the purposes of paragraph (a) above;

(e) Where an environmental quality standard requires stricter emission limit values than those that would be imposed by paragraph (d) above, paragraph (a) shall require those stricter emission limit values;

(f) Where appropriate, the emission limit values required by paragraph (a) above may be supplemented or replaced by equivalent parameters or technical measures.

2. An Class B environmental permit shall also contain conditions:

(a) Ensuring no significant pollution is caused, in particular through the application of best practice;

(b) If necessary, ensuring protection of the soil;

(c) If necessary, ensuring protection of groundwater;

(d) If necessary, ensuring appropriate management of waste generated by the installation;

(e) If necessary, the measures to be taken to prevent accidents and to limit their consequences;

(f) Setting out suitable release monitoring requirements, specifying the measurement methodology and frequency, evaluation procedure, and ensuring the operator supplies the National Environment Agency and the National Environment Inspectorate with the data required to check compliance with the Class B environmental permit;

(g) Relating to the periods when the installation is not operating normally where there is a risk that the environment may be affected during such periods. In particular, conditions shall be included related to the start-up of operations, leaks, malfunctions and momentary stoppages and definitive cessation of operations;

(h) Setting out the steps to be taken prior to the operation of the installation;

(i) Setting out the steps to be taken after the definitive cessation of operations of the installation so as to avoid any pollution risk and to return the site of the installation to a satisfactory state;

(j) Requiring the operator to regularly supply the National Environment Agency and the National Environment Inspectorate with the results of the monitoring of emissions;

(k) Requiring the operator to inform the National Environment Agency and the National Environment Inspectorate without delay of any incident or accident which is, or which may, significantly affect the environment; and

(l) If necessary, such other specific conditions which, in the opinion of the Environment and Forestry Agency, are required to achieve the purposes of this Law.

3. For the operation of a Class B permit may be required other conditions provided by the legislation in force related to environment protection as a whole. In any case these conditions shall not come into conflict with the provision of this law as far as not foreseen differently in it.

Article 29

Application for a Class B environmental permit

1. A written application for Class B environmental permit, as stipulated in paragraph 7 of this article, shall be submitted to the Agency of Environment and Forestry in accordance with the procedures foreseen in article 48 of this law, and shall contain:

(a) The name, address and telephone number of the applicant, and, if different, any address to which correspondence relating to the application should be sent;

(b) The address of the site of the installation;

(c) A map or plan showing the site and the location of the installation on that site;

(d) The name of any municipality or commune in whose area the site is located;

(e) A description of the installation and the activities to be carried out in the installation, and any other directly associated activities to be carried out on the same site as the installation which will have a technical connection with those listed activities and which could have an effect on emissions and pollution;

(f) A report on the conditions of the site of the installation. This report shall, in particular, identify any substance on, in or under the land which may be a pollution risk;

(g) Process flow diagrams of the production processes intended to be used;

(h) The raw and auxiliary materials, including water, other substances and the energy to be used in or generated by the installation;

(i) The nature, quantities and sources of emissions from the installation into each environmental component, as well as identification and a description of any significant effects of the emissions on the environment;

(j) The proposed technology and other techniques for preventing or, where this is not possible, reducing emissions from the installation;

(k) The proposed measures and methods to be taken to monitor the emissions from the installation;

(l) A description of the measures to be taken for the prevention and recovery of waste generated by the operation of the installation;

(m) A description of any proposed additional measures to be taken to comply with the requirements set out in Article 28;

(n) The main alternatives in production methods and techniques, if any, studied by the applicant in outline;

(o) Any additional information which the applicant wishes to be taken into account when the application is being considered; and

(p) A non-technical summary of the information referred to in the previous sub-paragraphs.

2. Where an installation required an Environmental Impact Assessment Report in accordance with the Law on Environmental Impact Assessment, the application for a Class B environmental permit shall also include any relevant information obtained or conclusions reached in relation to the installation from that Environmental Impact Assessment.

3. Where an installation is required to prepare a Safety Report in accordance with the Law on the Prevention of Major Accident Hazards, that Safety Report may be included in or attached to the application for a Class B environmental permit.

4. Where appropriate, the application for a Class B environmental permit shall be accompanied by:

   (a) a copy of any Water Permit issued pursuant to the Law on Water Resources relevant to the installation;

   (b) a copy of any Air Permit issued pursuant to the Law on Air Protection relevant to the installation;

   (c) a copy of any Waste Management Licence issued pursuant to the Waste Law relevant to the installation;

   (d) an existing copy of any environmental permit or environmental authorisation, as the case may be, relevant to the installation; and

   (e) a copy of the Development, Construction or Utilisation Permit relevant to the installation, as foreseen by the legislation on Territorial Planning in the Republic of Albania.

5. The applicant shall send to the Environment and Forestry Agency, the signed original application for a Class A environmental permit and four (4) copies of the application.

6. The National Environment Agency shall consider an application for a Class B environmental permit as valid, only after the applicant has paid or prove to have

paid the fee foreseen in article 49 of this law. An application for a Class B environmental permit shall not be considered as completed if the fee has not been paid accordingly.

7. The Minister shall endorse a format to be used for an application for a Class B environmental permit, which shall enter into force after the publication in the Official Journal.

Article 30

Examination of the application for a Class B environmental permit

1. Upon receiving of an application for a Class B environmental permit under Article 29 of this law the National Environment Agency shall immediately inform the applicant in writing of the safe receipt of the application.

2. Within 14 days of receiving the application for a Class B environmental permit the National Environment Agency shall send a copy of the application to:

   (a) the municipality or commune in whose area the installation is situated;

   (b) the District Council;

   (c) the National Environment Inspectorate;

   (d) the River Basin District Authority in whose area the installation is situated;

   (e) where the operation of the installation may involve the release of any substance into a sewer, the operator of that sewer system;

   (f) where the operation of the installation may involve an emission which may affect a Nature Protected Area, the authorities responsible for management of such area.

3. Within 30 days of receiving the application for a Class B environmental permit, the National Environment Agency may request, in writing, such further information from the applicant as the National Environment Agency considers is necessary. The request shall specify the reason or reasons for the request.

4. The applicant shall send the further information requested under paragraph 3 to the National Environment Agency within 30 days of the request. The applicant and the National Environment Agency may, in writing, extend this 30-day period for such period as may be mutually agreed.

5. If the applicant fails to send the further information requested under paragraph 3 within the time period set out in paragraph 4, the National Environment Agency

shall treat the application as being withdrawn and shall inform the applicant and the National Licensing Centre of this fact in writing.

6. Upon receipt of the further information requested under paragraph 3 above, the National Environment Agency shall immediately send such further information to the authorities referred to in paragraph 2 above.

7. Within 45 days of the receipt of an application for a Class B environmental permit by the National Environment Agency under paragraph 1 above, the National Environment Agency and such authorities referred to in paragraph 2 above may visit the site of the installation to inspect the site so as to verify any information or further information contained in that application.

8. The authorities referred to in paragraph 2 above may comment on the application for a Class B environmental permit. Such comments may be in writing or electronic version and shall be addressed to the Environment and Forestry Agency. Such comments shall be made within a period of 45 days after the date referred to in paragraph 2, or the date referred to in paragraph 6 of this article, where an inspection of the site of installation has been carried out in accordance with paragraph 6 of this article. Where an authority does not send any comment to the National Environment Agency within that time period, that authority shall be deemed to have no comment to the application.

Article 31

Public notice of the application for a Class B environmental permit

1. Subject to the provisions of Article 45, within a period of 14 days of submitting the application for a Class B environmental permit to the National Environment Agency and when this application is deemed valid in accordance with the provision of article 29 of this law, the applicant shall also publish a notice in at least one newspaper in the area of the installation and in one national newspaper. The notice shall be published in at least two consecutive issues of the newspapers.

2. The applicant shall send a copy of the notices referred to in paragraph 1 to the Environment and Forestry Agency. The National Environment Agency shall also place such a notice on its website.

3. A notice required by paragraph 1 shall:

   (a) state the name of the applicant;

   (b) state the address of the site of the installation;

   (c) briefly describe the activities to be carried out in the installation;

(d) state that the application contains a description of the significant effects of emissions from the installation on the environment;

(e) state where and how the application and any other relevant information or further information may be viewed, and that it may be viewed free of charge;

(f) state that any person who wishes to comment on the application may do so in writing to the National Environment Agency within 30 days of the date of the notice, and give the address of the Environment and Forestry Agency;

Article 32

Public consultation on the application for a Class B environmental permit

1. Subject to the provisions of Article 45, where a municipality or commune receives a copy of an application for a Class B environmental permit as it would appear on the public register from the National Environment Agency it shall immediately make the application available for viewing by any member of the public in the municipality offices or commune offices during normal office hours.

2. Where a member of the public wishes to view an application for a Class B environmental permit in the municipality offices or commune offices, he shall be entitled to do so free of charge.

3. Where a member of the public wishes to obtain a photocopy of an application for a Class B environmental permit from the municipality offices or commune offices, that office may charge the sum covering such photocopying expenses.

4. Any member of the public may comment on an application for a Class B environmental permit. Any such comments shall be in writing or may be made electronically and shall be addressed to the Environment and Forestry Agency.

5. Any comments made pursuant to paragraph 4 shall be made within 30 days of the notice appearing in a national newspaper pursuant to Article 31.1 of this law.

6. Where an applicant is required to publish a notice under Article 31 and is required to publish a notice under Article 26 of the Law on Environmental Impact Assessment, he may, if he so chooses, publish a combined notice that meets the requirements of that Law and of this Law.

Article 33

Decision on the application for a Class B environmental permit

1. The National Environment Agency shall make a decision whether to grant a Class B environmental permit containing conditions in accordance with Article 28, or to refuse a Class B environmental permit for an installation.

2. The Minister shall endorse a format to be used for the decision whether to grant or refuse a Class B environmental permit.

3. In making a decision referred to in paragraph 1 the National Environment Agency shall take into account:

   (a) any comments received within the period allowed from the authorities referred to in Article 30.8 of this law;

   (b) any comments received within the period allowed from any member of the public pursuant to Article 32.4 of this law; and

   (c) where relevant, any relevant information obtained or conclusion reached in relation to that installation from the Environmental Impact Assessment carried out for that installation pursuant to the Law on Environmental Impact Assessment .

4. The decision referred to in paragraph 1 of this article, shall be made by the National Environment Agency within six months of the date of informing the applicant of the safe receipt of the application for an Class B Environmental Permit as provided by Article 30 of this law.

5. The time period referred to in paragraph 4 may be extended for such period as the National Environment Agency and the applicant may agree in writing, subject to the requirement that any such extended period may not be for longer than a further two month period.

6. For the purpose of calculating the six months period mentioned in paragraph 4 no account shall be taken of any period beginning with the date on which an application for further information is made pursuant to Article 30.3 and ending on the date on which the applicant provides the information requested.

7. If the National Environment Agency fails to make a determination within the period specified in paragraphs 4 or 5 of this article, the applicant may commence proceedings in accordance with Article 76 of the Administrative Procedures Code.

8. The National Environment Agency shall inform the applicant and the National Licensing Centre of its decision under paragraph 1 above in writing within five days of making its decision. The decision on the refusal of the application

for a Class B environmental permit shall state all reasons for so refusing the application.

9. Where the decision is that the Class B environmental permit shall be granted the National Environment Agency shall send to the National Licensing Centre an electronic copy of the permit and a copy of the permit to the applicant.

10. The National Environment Agency shall place a copy of the decision and the permit including its conditions if relevant on the register referred to in Article 45. Where relevant the Register shall include any subsequent updates to the permit or its conditions.

11. The register shall also contain a statement from the National Environment Agency that it examined the concerns and comments received from the public, information on the public consultation process, and the reasons and considerations on which the decision was based.

12. Within three days of making its decision under paragraph 1 above the National Environment Agency shall forward a copy of the information set out in paragraphs 10 and 11 to the municipality or commune.

Chapter 2

Change in operation

Article 34

Proposed change in operation of a Class B installation

1. Where the operator of a Class B installation proposes to make a change in the operation of that installation he shall, at least 14 days before making that change, notify the Environment and Forestry Agency.

2. A notification under paragraph 1 shall be in writing and shall contain a description of the proposed change in the operation of the installation.

3. The National Environment Agency shall acknowledge the receipt of any notification received under paragraph 1. Such acknowledgement shall be in writing to the operator and shall be made within five days of receipt of the notification referred to in paragraph 1.

4. It necessary, the National Environment Agency shall update the Class B environmental permit or the conditions included in that permit.

5. Where the National Environment Agency decides to update the Class B environmental permit or the conditions included in that permit, it shall notify the operator in writing specifying the update of the permit and the date or dates on which the update is to take effect. The National Environment Agency shall at the same time also notify in electronic way the National Licensing Centre, and shall also place a copy of the updated Class B environmental permit on the Register referred to in Article 45.

Article 35

Proposed substantial change in operation of a Class B installation

1. Where in the opinion of the National Environment Agency a proposed change in the operation of a Class B installation notified by the operator pursuant to Article 34.1 of this law, would result in a substantial change to that operation, National Environment Agency shall inform the operator on the necessity for applying for a change in the permit conditions in order for the installation to continue its operation after such change has taken place.

2. The provisions of Articles 29 to 33 shall apply to an application to change the permit conditions though the words “application for an Class B environmental permit” shall read “application for a change in the conditions of the Class B Environmental Permit”.

3. The application for the change in permit conditions shall cover those parts of the installation that may be affected by the proposed change and those aspects of the Article 29 that may be affected by the proposed change.

4. Where the National Environment Agency decides to change the conditions of the permit it shall notify the operator in writing specifying the changes in the conditions of the permit and the date or dates on which the changes are to take effect. The National Environment Agency shall at the same time also notify in electronic way the National Licensing Centre, and shall also place a copy of the revised Class B environmental permit on the Register referred to in Article 45.

5. The National Environment Agency shall consider an application for a change in the conditions of a Class B environmental permit as valid, only after the applicant has paid or prove to have paid the fee foreseen in article 49 of this law. An application for a change in the conditions of a Class B environmental permit shall not be considered as completed if the fee has not been paid accordingly.

Article 36

Review and updating of Class B environmental permit conditions

1. The National Environment Agency shall periodically, and at least once every seven years, review the conditions of Class B environmental permits.

2. If as a result of the review mentioned in paragraph 1 the National Environment Agency is of the opinion that the conditions of the Class B environmental permit must be updated, it shall do so and notify the operator and the National Licensing Centre accordingly.

3. Without prejudice to paragraph 1, the National Environment Agency shall conduct a review of an Class B environmental permit and, if necessary, update the conditions of that permit where:

(a) the pollution caused by the installation covered by the Class B environmental permit is of such significance that the existing emission limit values of the Class B environmental permit need to be revised or new emission limit values need to be included in the Class B environmental permit;

(b) the operational safety of the process or activities carried out in the installation requires other techniques to be used;

(c) is required by the legislation in force.

4. Where paragraph 3(a) applies, the National Environment Agency shall inform the operator on the necessity for applying for a change in the permit conditions in order for the installation to continue its operation after such change has taken place.

5. The provisions of Articles 29 to 33 shall apply to an application to change the permit conditions so though the words “application for a Class B Environmental Permit” shall read “application for a change in the conditions of the Class B Environmental Permit”.

6. Where the National Environment Agency decides to update the Class B environmental permit or the conditions included in that permit, it shall notify the operator in writing specifying the update of the permit and the date or dates on which the update is to take effect. The National Environment Agency shall at the same time also notify in electronic way the National Licensing Centre, and shall also place a copy of the updated Class B environmental permit on the Register referred to in Article 45.

Part 4

Class C Environmental permits

Article 37

General Requirement for a Class C environmental permit to operate

1. Subject to the provisions of Article 53 no person shall operate an installation of Class C after the coming into force of this Law except under and to the extent authorised by an Class C environmental permit granted by the relevant Local Government Authorities.

2. A Class C environmental permit may authorise the operation of more than one activity on the same site operated by the same operator, but may not otherwise authorise the operation of more than one activity.

3. A Class C environmental permit shall not be granted to an applicant if the relevant Local Government Authorities considers that the applicant will not be the person who will have control over the operation of the activity concerned after the grant of the Class C environmental permit or will not ensure that the activity concerned is operated in compliance with the conditions which would be included in the Class C environmental permit.

4. The relevant Local Government Authority shall grant to an applicant the Class C environmental permit only in accordance with any conditions proposed by the National Environment Agency through the relevant Regional Environment Agency.

Article 38

Specific Conditions of Class C environmental permits

1. A Class C environmental permit shall contain conditions:

   (a) Emission limit values for pollutants, in particular those listed in Annex 2, likely to be emitted from the installation in significant quantities. Where appropriate such emission limit values may apply to groups of pollutants rather than individual pollutants;

   (b) If necessary, ensuring protection of the soil;

   (c) If necessary, ensuring protection of groundwater;

   (d) If necessary, ensuring appropriate management of waste generated by the activity;

(e) Requiring the operator to regularly supply the relevant Local Government Authority, the relevant Regional Environment Agency and the National Environment Inspectorate with the results of the monitoring of emissions;

(f) Requiring the operator to inform the relevant Local Government Authority, the relevant Regional Environment Agency and the National Environment Inspectorate without delay of any incident or accident which is, or which may, significantly affect the environment; and

(g) other conditions provided by the legislation in force on environment protection.

Article 39

Application for a Class C environmental permit

1. A written application for Class C environmental permit, as stipulated in paragraph 5 of this article, shall be submitted to the relevant Local Government Authority in accordance with the procedures foreseen in article 48 of this law, and shall contain:

   (a) The name, address and telephone number of the applicant, and, if different, any address to which correspondence relating to the application should be sent;

   (b) The address of the site of the installation;

   (c) The name of any municipality or commune in whose area the site is located;

   (d) A description of the installation and the activities to be carried out in the installation;

   (e) The nature, quantities and sources of emissions from the installation;

   (f) A description of the measures to be taken for the prevention and recovery of waste generated by the operation of the installation, if relevant;

   (g) A description of the measures to be taken for the on-site storage of hazardous substances and materials, if relevant; and

   (h) Any additional information which the applicant wishes to be taken into account when the application is being considered.

2. The relevant Local Government Authority shall consider an application for a Class C environmental permit as valid, only after the applicant has paid or prove to have paid the fee foreseen in article 49 of this law. An application for a Class C environmental permit shall not be considered as completed if the fee has not been paid accordingly.

3. Where appropriate, the application for a Class C environmental permit shall be accompanied by:

   (a) An existing copy of any environmental authorisation, relevant to the activity; and

   (b) a copy of the Development, Construction or Utilisation Permit relevant to the installation, as foreseen by the legislation on Territorial Planning in the Republic of Albania.

4. The applicant shall send to the relevant Local Government Authority the signed original application for a Class C environmental permit and two (2) copies of the application.

5. The Minister shall endorse a format to be used for an application for a Class C environmental permit, which shall enter into force after the publication in the Official Journal.

Article 40

Examination of the application for a Class C environmental permit

1. Upon receiving of an application for a Class C environmental permit under Article 39 of this law, the relevant Local Government Authority shall immediately inform the applicant in writing of the safe receipt of the application.

2. Within 5 days of receiving the application for a Class C environmental permit the relevant Local Government Authority shall send a copy of the application to the relevant Office of the National Environment Agency and National Environmental Inspectorate;

3. Within 15 days of receiving the application for a Class C environmental permit, the relevant Local Government Authority may request, in writing, such further information from the applicant as it considers is necessary. The request shall specify the reason or reasons for the request.

4. The applicant shall send the further information requested under paragraph 3 to the relevant Local Government Authority within 15 days of the request. The applicant and the relevant Local Government Authority may, in writing, extend this 15 day period for such period as may be mutually agreed.

5. If the applicant fails to send the further information requested under paragraph 3 within the time period set out in paragraph 4, the relevant Local Government Authority shall treat the application as being withdrawn and shall inform the applicant and the National Licensing Centre of this fact in writing.

6. Upon receipt of the further information requested under paragraph 3 above, the relevant Local Government Authority shall immediately send such further information to the relevant Regional Environment Agency and the relevant regional office of National Environmental Inspectorate.

7. The authorities referred to in paragraph 2 above may comment on the application for a Class C environmental permit. Such comments may be in writing or electronic version and shall be addressed to the relevant Local Government Authority. Such comments shall be made within a period of 30 days after the date referred to in paragraph 2. Where an authority does not send any comment to the relevant Local Government Authority within that time period, that authority shall be deemed to have no comment to the application

8. The relevant Local Government Authority and the authorities referred to in paragraph 2 may visit the site of the installation before the end of the 30 day period referred to in paragraph 7 so as to verify any information or further information contained in that application.

Article 41

Decision on the application for a Class C environmental permit

1. The relevant Local Government Authority shall make a decision whether to grant a Class C environmental permit containing conditions in accordance with Article 38, or to refuse a Class C environmental permit for an activity.

2. The decision referred to in paragraph 1 of this article, shall be made by the relevant Local Government Authority within one month of informing the applicant of the safe receipt of the application for an Class C Environmental Permit as provided by Article 39 of this law.

3. The time period referred to in paragraph 2 may be extended for such period as the relevant Local Government Authority and the applicant may agree in writing, subject to the requirement that any such extended period may not be for longer than a further one month period.

4. In making a decision referred to in paragraph 1 the relevant Local Government Authority shall take into account any comments received within the period allowed from the authorities referred to in Article 40 of this law.

5. For the purpose of calculating the one month period mentioned in paragraph 2 no account shall be taken of any period beginning with the date on which an

application for further information is made pursuant to Article 40.3 of this law and ending on the date on which the applicant provides the information requested.

6. The relevant Local Government Authority shall inform the applicant and the National Licensing Centre of its decision under paragraph 1 above in writing within five days of making its decision. The decision on the refusal of the application for a Class C environmental permit shall state all reasons for so refusing the application. Where the decision is that the Class C environmental permit shall be granted the relevant Local Government Authority shall send to the National Licensing Centre an electronic copy of the permit and a copy of the permit to the applicant.

Article 42

Review and updating of Class C environmental permit conditions

1. The relevant Local Government Authority shall periodically, and at least once every five years, review the conditions of the Class C environmental permit. In carrying out such a review, the relevant Regional directorate of the National Environment Agency shall be consulted.

2. If as a result of the review mentioned in paragraph 1 the relevant Local Government Authority is of the opinion that the conditions of the Class C environmental permit must be updated, it shall do so and notify the National Licensing Centre and the operator accordingly.

Part 5

General Dispositions to Environmental Permitting

Article 43

Transboundary effects on another State

1. Where the Minister is aware that the operation of a Class A installation in Albania is likely to have significant negative effects on the environment of another State, or where another State likely to be significantly affected so requests, the Minister shall forward to the competent authority of the other State a copy of the application for a Class A environmental permit.

2. Where information is required to be forwarded to another State pursuant to paragraph 1, it shall be forwarded at the same time as the application is sent to the authorities referred to in Article 12.2, or as soon as the Minister becomes so aware or receives such a request.

3. The information referred to in paragraph 1 shall serve as a basis for any consultations necessary in the framework of any bilateral relations between Albania and the other State in compliance with the legislation in force in the Republic of Albania.

4. Where an application is forwarded to another State paragraph 1, the Ministry shall inform the National Environment Agency within five days, which shall inform the applicant thereof within five days.

5. Where an application has been forwarded to another State under paragraph 1 the National Environment Agency shall not determine the application or make its final determination until the Ministry has notified the National Environment Agency in writing that the bilateral consultations mentioned in paragraph 3 have been completed and the Ministry has received any representations made on the application within any due time by Authorities in the other State.

6. The National Environment Agency shall take into consideration any representations referred to in paragraph 5 of this article in making a decision on the application for a class A environment permit, referred to in Article 15, paragraph 1 of this law.

7. The period of nine months within which to make a decision under Article 15.4 on the application shall begin on the date on which the National Environment Agency notify the applicant that the bilateral consultations foreseen by the paragraph 3 of this article have been completed.

Article 44

Transboundary effects on Albania

1. Where the Minister is made aware that a Class A installation on the territory of another State is likely to have significant negative effects on the environment of Albania he shall request from that other State, if not already received, a copy of the application for the equivalent of a Class A Environmental Permit, and such other relevant information.

2. The information referred to in paragraph 1 shall serve as a basis for any consultations necessary in the framework of any bilateral relations between Albania and the other State in compliance with the legislation in force in the Republic of Albania.

3. Where information is received by the Ministry under paragraph 1 it shall inform the National Environment Agency within five days, which shall inform the authorities referred to in Article 12.2 thereof within five days.

4. The provisions of Articles 12, 13 and 14, of this law shall apply to an application received under paragraph 1of this article, save that the National

Environment Agency shall publish the notice referred to in Article 13 of this law, in accordance with the agreement between the parties.

5. The Ministry shall forward any comments received from the authorities referred to in Articles 12.2 of this law, or the public referred to in Article 13 and 14 of this law, to that other State within such time as has been agreed between the parties.

Article 45

Management of information

1. All information relevant to Class A and Class B installations shall form part of the Environmental Information System established by the Law on Environment Protection.

2. The relevant Local Government Authority shall maintain and update the register of information relevant to Class C installations within their area of competence. The information in this register shall form part of the Environmental Information System established by the Law on Environment Protection.

3. The information referred to in paragraphs 1 and 2 shall include all results of monitoring as are required as a condition of the relevant permit for that installation.

4. The information referred in the paragraph 1 and 2 of this article which shall be considered as state secret in compliance with the law "On classified information as "state secret"" or is subject of protection from the legislation in force on the personal data, professional data or commercial data, shall not be made public and shall not be transferred from one authority to another authority as provided in this law with the exception when provided differently by the relevant legislation in force.

Article 46

Transfer of environmental permit

1. Where the operator of an Class A or Class B installation intends to transfer his environmental permit to another person, the operator and that other person shall make a joint application to the National Environment Agency for that transfer.

2. An application under paragraph 1 shall be accompanied by the Class A environmental permit or Class B environmental permit as the case may be and shall contain:

(a) the name, address and telephone number of the operator; and
(b) the name, address and telephone number of the other person referred to in paragraph 1 of this article.

3. The National Environment Agency shall grant the application for a transfer referred to in paragraph 1 unless the National Environment Agency considers that that other person will not be the person who will have control over the operation of the installation concerned after the transfer of the relevant environmental permit or will not ensure that the installation concerned is operated in compliance with the conditions of the transferred permit.

4. The National Environment Agency shall inform the applicants for the transfer of the relevant environmental permit and the National Licensing Centre of its decision under paragraph 1 above in writing within five days of making its decision. The decision on the refusal of the application for the transfer of the relevant environmental permit shall state all reasons for such refusal.

5. The National Environment Agency shall grant the transfer referred to in paragraph 1 by endorsing the Class A environmental permit or Class B environmental permit as the case may be, with the name and details of the other person referred to in that paragraph as the operator of that installation.

6. The transfer referred to in paragraph 5 shall take effect from such date as may be agreed between the National Environment Agency and the applicants and shall be specified in the endorsement. The National Environment Agency shall send respectively to the applicants and to the National Licensing Centre a hard copy and an electronic version of the endorsement.

7. The National Environment Agency shall make a decision on the application to transfer referred to in paragraph 1 within two months of receiving such an application, or within such longer period of time as may be agreed in writing between the National Environment Agency and the applicants.

8. If the National Environment Agency fails to make a determination within the period specified in paragraph 7 of this article, the application shall be deemed to have been refused at the end of that period..

9. The National Environment Agency may request, in writing, such further information from the operator or the other person referred to in paragraph 1 as the National Environment Agency considers it necessary for the purposes of making a decision on an application to transfer under this Article. The request shall specify the reason or reasons for the request and shall specify the period within such further information must be supplied to the Environment and Forestry Agency.

10. If the further information referred to in paragraph 9 is not received by the National Environment Agency within the time specified in that notice, the National Environment Agency shall treat the application to transfer as being withdrawn and shall notify the operator and the other person referred to in paragraph 1 of this fact.

11. For the purposes of determining the two month time period referred to in paragraph 7, no account shall be taken of the period beginning on the date the notice for further information referred to in paragraph 9 is sent and ending on the date on which that further information is provided.

12. The provisions of paragraphs 1 to 11 shall apply for the transfer of a Class C environmental permit, where for "Class A environmental permit or Class B environmental permit as the case may be" read "Class C environmental permit" and for "Environment and Forestry Agency" read "Local Government Authority".

Article 47

Inspection

1. The National Environment Inspectorate shall carry out inspections of installations to which this Law relates in accordance with provisions of the Law on Environment Protection.

2. The operator of an installation to which this Law relates shall provide all necessary assistance to the National Environment Inspectorate to enable them to carry out inspections within the installation, to take samples and to gather any information necessary for the performance of their duties for the purposes of this Law and in accordance with the requirements of the Law "On Environmental Protection".

Article 48

Procedural requirements in the process of application for the environmental permits

1. The Application and the submission of the document verifying the fee payment for a class A and B environmental permit at the Environmental and Forest Agency, in compliance with the provision of the article 49 of this law, can be done through:

    a. Showing up at the front desk of the Regional Environment Agency relevant to the location where the activity is performed, or the residence of the applicant is;
    b. Sending it by post with a delivery report at the Environmental and Forest Agency;
    c. Sending it electronically according to the legislation on the electronic signature.

2. The Application and the submission of the document verifying the fee payment for a class C environmental permit at the relevant Authority of the Local

Government, in compliance with the provision of the article 49 of this law, can be done through:

d. Showing up at the front desk of the Authority of the Local Government relevant to the location where the activity is performed, or the residence of the applicant is;
e. Sending it by post with a delivery report at the relevant Authority of the Local Government;
f. Sending it electronically according to the legislation on the electronic signature when possible.

Article 49

Fees for environmental permitting

1. The applicant of a environmental permit shall pay the appropriate fee upon:

   (a) An application for any environmental permit of class A, B or C;
   (b) An application for a change of permit conditions applicable to Class A environmental permit and Class B environmental permit;

2. The fee for class A and B referred above are paid to Environment and Forestry Agency, while the fee for class C is paid to the relevant Local Government Authority.

3. The operator of a class A or B installation shall pay an annual fee to National Environment Agency and the operator of a class C installation shall pay an annual fee to the relevant Local Government Authority.

4. The fees and the appropriate levels for the services performed by National Environment Agency as provided by this law shall be endorsed by the Government upon proposal of the Minister. Tarif

5. The fees and the appropriate levels for the services performed by relevant Local Government Authority as provided by this law shall be endorsed by the apposite structure of the relevant Local Government Authority in compliance with the provisions of the legislation in force and in any case such levels shall not be higher than the level of fees provided for the services of Environment and Forestry Agency.

6. Where an operator of a Class A or Class B installation has failed to pay a fee due in respect of this Law, the National Environment Agency shall revoke the Class A environmental permit, or Class B environmental permit as the case may be.

7. Where an operator of a Class C installation has failed to pay a fee due in respect of this Law, the relevant Local Government Authority shall revoke the Class C environmental permit.

8. The National Environment Agency and the relevant Local Government Authority, respectively shall inform, by electronic means, for such revocation decision the National Licensing Centre.

Article 50

Surrender of an environmental permit

1. The operator of a Class A, Class B or Class C installation may make an application to surrender the environmental permit in whole or in part to the National Environment Agency or the Local Government Authority as the case may be.

2. The National Environment Agency or the Local Government Authority as the case may be shall only agree to the surrender of the environmental permit in whole or in part if it is satisfied that the necessary measures have been taken:
   a. to avoid a pollution risk from the operation of the installation; and
   b. to return the site of the installation to a satisfactory state, having regard to the state of the site before the commencement of the operation of the installation.

Article 51

Complaints

1. Every interested party subject to this law, has the right to complain in administrative ways against the act, actions or inactions from Environment and Forestry Agency, National Environment Inspectorate or the relevant Authority of the Local Government.

2. The complaint, in all cases, is submitted via a request to Environment and Forestry Agency, National Environment Inspectorate or the relevant Authority of the Local Government, whom respectively publish the complaint and notifies electronically the National Licensing Centre.

3. There can be complaints against the decision taken after processing the administrative complaint or inaction, directly in the competent court for the administrative cases, according to the apposite legislation in force.

Article 52

Sanctions and penalties

1. The following infringements are criminal offences:

   a. An operator who submits any false or misleading information to Environment and Forestry Agency, to National Environment Inspectorate, to the Ministry or

to any other authority under this law shall be guilty of a criminal offence under Article 186 of the Criminal Code.

b. The representative of the public authority, who provides to the public false information, or who alters, defaces, blocks, erases, destroys or conceals any record held by the public authority which the applicant would have been entitled to as provided by article 13 and 31 of this law shall be guilty of a criminal offence under Articles 186 and 248 of the Criminal Code.

2. For the purposes of this Law, the following infringements, shall be regarded as administrative contraventions when non constituting a criminal offence:

   a. The carrying out of any activity subject to a Class A, B or C environment permit as provided by article 8, 27 and 37 of this law without the respective permit shall constitute administrative contravention and shall be punished by fine in the amount from _____lek to _____lek and accruing at _____ Lek per day until such action is taken;

   b. The noncompliance with the requirements, principles and conditions of any of the class A, B or C environmental permit as provided by this law shall constitute administrative contravention and shall be punished by fine in the amount from _____lek to _____lek and accruing at _____ Lek per day until such action is taken;

   c. Any operator who fails to notify National Environment Agency in compliance with the requirement of the article 23, paragraph 3 of this law, shall be liable to an administrative fine from _____lek to _____lek and accruing at _____ Lek per day until the until such action is taken.

3. Any information provided to National Environment Agency or the Relevant Authority of the Local Government by the operator of an installation subject to this law as result of the self-monitoring requirements may be used as evidence in any proceedings against the operator or any other person.

4. Without prejudice to any penalty that may be imposed in accordance with sub-paragraphs (b) and (c) of paragraph 2 of this article, National Environment Agency by the proposal of National Environment Inspectorate may suspend or revoke the environmental permit for all or part of the installation.

5. The National Environment Inspectorate may impose the administrative fines provided in this article at any time but no later than five years after the date of the contravention.

6. The infringer shall be formally notified by the National Environment Inspectorate in writing of the contravention and of the administrative fine imposed, within 60

calendar days after the National Environment Inspectorate first becomes aware of the contravention.

7. The infringer, to whom is imposed the administrative fine has the right of appeal to the leading authority of the relevant structure in accordance with the legislation in force.

8. The administrative fine shall be paid within 35 calendar days from the day of informing the infringer, with the exception when the decision for the administrative fine is being suspended in accordance with the legislation in force.

9. Where the administrative fine has not be paid within the due date set out in paragraph 8, the National Environment Agency by the proposal of National Environment Inspectorate may suspend or revoke the environmental permit for that activity until such administrative fine has been paid.

10. The subject, to whom is imposed the suspension of the permit has the right of appeal to the leading authority of the relevant structure in accordance with the legislation in force.

11. National Environment Inspectorate administer the income gathered from fines and interests in accordance with the legislation in force.

12. The enforcement of the administrative contraventions does not release the subject to whom it is directed from the other obligations foreseen by this law and the civil responsibility for the damage caused in accordance with the legislation in force.

Part 6

Transitional and Final Provisions

Article 53

Transitional provisions for existing Class A and Class B installations

1. All existing Class A and Class B installations shall comply with all the provisions of this Law no later than eight years after the Law enters into force.

2. Within two years of the coming into force of this Law the operator of an existing Class A or Class B installation shall send to the National Environment Agency an application for a Class A environmental permit or Class B environmental permit as the case may be and a Compliance Schedule Plan.

3. The Compliance Schedule Plan shall contain the information specified in Annex 10 as is necessary and shall set out the manner in which the operator shall ensure compliance with the provisions of paragraph 1.

4. Any Class A environmental permit or Class B environmental permit as the case may be issued by the National Environment Agency to an operator of an existing installation shall take due account of the Compliance Schedule Plan for that installation, and shall include an approved compliance schedule plan as a part of that environmental permit.

5. In so far as any Class A environmental permit or Class B environmental permit as the case may be issued under this Law regulates and imposes conditions on the operator that would otherwise have been included in any permit under the legislation on air protection, water protection, waste management or other legislation, then such other permits shall cease to have effect as from the date of validity of the relevant environmental permit under this Law.

6. The provisions of paragraph 5 shall not apply to any permission to abstract water under the legislation on water protection. The National Environment Agency shall fully co-ordinate its activities with the relevant authorities for issuing permissions for water abstraction so as to ensure an effective integrated approach is taken, in particular when making decisions related to Class A Environmental Permits.

Article 54

Transitional provisions for existing Class C installations

1. All existing Class C installations shall comply with all the provisions of this Law no later than two years after the Law enters into force.

Article 55

Transitional provisions for institutional arrangements

1. For a period not exceeding four years, the functions given to National Environment Agency by this Law shall be carried out by the Ministry. In carrying out these functions the Ministry shall consult with Environment and Forestry Agency.

2. The transition time referred in Paragraph 1 shall terminate upon an Order of the Minister, which shall be published in the Official Gazette.

Article 56

Reporting on the implementation of this law

1. The Ministry shall publish reports on the implementation of this law for the first time before 30 October 2014 and thereafter every three years.

2. The Environment and Forestry Agency, the Local Government Authority and all other relevant authorities and institutions shall provide such relevant information to the Ministry to enable the Ministry to prepare such reports.

3. The Minister shall endorse a format to be used for such reports.

4. The Ministry shall submit such reports as regards class A permits to the European Commission.

5. The provisions of paragraph 4 shall come into effect upon the accession of the Republic of Albania to the European Union.

Article 57

Proposal and endorsement of the bylaws

1. The bylaws which will be endorsed by the Council of Ministers for the implementation of this law shall be proposed by the Minister.

2. The Council of Ministers or/and the Minister shall endorse the bylaws in respect to and in accordance with what is stipulated in this law, within 2 year from its entry into force.

Article 58

Bylaws

1. The Council of Ministers is responsible for endorsing the bylaws for the application of Articles 20, paragraph 4 and 49, paragraph 3 of this law.

2. The Minister is responsible for endorsing the bylaws for the application of Articles 6 paragraph 2 and 4; 11 paragraph 7; 15 paragraph 2; 29 paragraph 7; 33 paragraph 2; 39 paragraph 5; 55 paragraph 2; and 56 paragraph 3.

Article 59

Repeals

1. Articles 34, 36-46 and 51/1 of Law No 8934 dt 5.09.2002 “On Environmental Protection” is repealed by the entry into force of this Law.

2. Articles 31, 33 and 34 of Law No 8093 dt 21.03.1996 “On Water Resources” is repealed by the entry into force of this Law.

3. Article 18 of Law No 9115 dt 24.07.2003 “Concerning the Environmental Treatment of Polluted Waters” is repealed by the entry into force of this Law.

4. Articles 11 and 17 of Law No 8897 dt 16.05.2002 “On Protection of Air from Pollution” is repealed by the entry into force of this Law.

5. Article 10 paragraphs 3, 4, 8 and 9, Article 13-16, 17 and 18 of Law No 9537 dt 18.05.2006 “On Hazardous Waste Administration” is repealed by the entry into force of this Law.

6. Article 25 of Law No 9010 dt 13.02.2003 “On Environmental Treatment of Solid Waste” in so far as it relates to activities that are regulated under this Law is dis-applied by the entry into force of this Law.

Article 60

Entry into force

This law enters into force 15 days following its publication in the Official Journal.

ANNEX 1

ACTIVITIES AND THRESHOLDS FOR CLASS A, CLASS B, AND CLASS C ENVIRONMENTAL PERMITTING

Where one operator carries out several activities in the same subheading below and in the same installation or at the same site, the capacities of such activities are added together.

Unless otherwise stated in the Table below, capacity threshold means the production capacity at that activity, whether or not the activity is working to full production capacity.

	ID	**Activity**	**Capacity threshold CLASS A**	**Capacity threshold CLASS B**	**Capacity threshold CLASS C**	**comments (NOTE: this column will NOT form part of the Annex to the Law, but is included here for discussion purposes)** ***UNLESS OTHERWISE SPECIFIED, ALL CLASS A THRESHOLDS ARE AS PER THE IPPC DIRECTIVE***
Energy industries	1.1	Combustion installations	Rated thermal input is at or exceeds (is greater than) 50 MW	Rated thermal input less than 50 MW	------	Class A threshold slightly stricter than IPPC Directive so to be consistent with LCP Directive. Class B is all combustion installations below Class A threshold
	1.2	Mineral oil and gas refineries	All installations	----------	----------	
	1.3	Coke ovens	All installations	----------	----------	
	1.4	Coal gasification and liquefaction plants	All installations	----------	----------	

	1.5	Extraction of crude petroleum and natural gas	All installations	----------	----------	Not an IPPC activity – but added at the request of the Ministry
	1.6	Odorising natural gas or LPG except where that activity is related to Class A activity, or blending odorant	----------	All installations	----------	See, eg UK (Scotland) Legislation SSI 2000/323
	1.7	Blending odourant for use with natural gas or liquefied petroleum	----------	all installations	----------	See, eg UK (Scotland) Legislation SSI 2000/323

	1.8	Fuel delivery and storage : (a)Storage of petrol in stationary storage tanks at a terminal, or the loading or unloading of petrol into or from a road tanker, a rail tanker or an inland waterway vessel at a terminal; (b) the unloading of petrol into stationary storage tanks at a service station	----------	----------	all installations	Gives effect to relevant provisions of Directive 94/63/EC on control of VOCs from petrol storage. See also, eg UK (Scotland) Legislation SSI 2000/323
	1.9	Motor vehicle refuelling activities at service stations,	------	-------	All installations	Gives effect to relevant provisions of Directive 94/63/EC on control of VOCs from petrol storage. See also, eg UK (Scotland) Legislation SSI 2000/323

Production and processing of metals	2.1	Metal ore (including sulphide ore) roasting or sintering	All installations	----------	----------	
	2.2	Production of pig iron or steel (primary or secondary fusion) including continuous casting	Production capacity exceeds 2.5 tonnes/hour	Production capacity at or less than 2.5 tonnes/hour	----------	Class B is all such installations below Class A threshold
	2.3	a. Processing ferrous metals - hot rolling mills	Production capacity exceeds 20 tonnes crude steel per hour	Production capacity at or less than 20 tonnes crude steel per hour	----------	Class B is all such installations below Class A threshold
		b. Processing ferrous metals - hammering	Energy exceeds 50 kilojoules per hammer, and calorific power exceeds 20 MW	Energy at or less than 50 kilojoules per hammer, and calorific power at or less than 20 MW	----------	Class B is all such installations below Class A threshold
		c. Processing ferrous metals - fused metal coating applications	Input exceeds 2 tonnes/hour crude steel	Input at or less than 2 tonnes/hour crude steel	----------	Class B is all such installations below Class A threshold
	2.4	Ferrous metal foundries	Production capacity exceeds 20 tonnes/day	Production capacity at or less than 20 tonnes/day	----------	Class B is all such installations below Class A threshold

	2.5	a. Production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes	All installations	----------	----------	
		b. Smelting and alloying of non ferrous metals including recovered products (including refining and foundry casting)	Melting capacity exceeds 4 tonnes/day for lead or cadmium, or 20 tonnes/day for all other metals	Melting capacity at or less than 4 tonnes/day for lead or cadmium, or 20 tonnes/day for all other metals	----------	Class B is all such installations below Class A threshold
	2.6	Surface treatment of metals & plastics using an electrolytic or chemical process	Volume of treatment vats exceeds 30m^3	Volume of treatment vats at or less than 30m^3	----------	Class B is all such installations below Class A threshold
Mineral industry	3.1	a. Production of cement clinker in rotary kilns	Production capacity exceeds 500 tonnes/day	Production capacity at or less than 500 tonnes/day	----------	Class B is all such installations below Class A threshold

		b. Production of lime in rotary kilns	Production capacity exceeds 50 tonnes/day	Production capacity at or less than 50 tonnes/day	---------- -	Class B is all such installations below Class A threshold
		c. Production of cement clinker or lime in other furnaces	Production capacity exceeds 50 tonnes/day	Production capacity at or less than 50 tonnes/day	---------- -	Class B is all such installations below Class A threshold
		d. Storing, loading or unloading cement or cement clinker in bulk before further transportation in bulk	-------	--------	all installations	See, eg UK (Scotland) Legislation SSI 2000/323
		e. Blending cement in bulk or using cement in bulk other than at a construction site, including the bagging of cement and cement mixture, the batching of ready-mixed concrete and the manufacture of concrete blocks and other cement products	---------	--------	All installations	See, eg UK (Scotland) Legislation SSI 2000/323

	3.2	a. Production of asbestos or asbestos-based products	All installations	----------	----------	
		b. Manufacture of asbestos-based products	All installations	----------	----------	
		c. Stripping asbestos from railway vehicles except: (i) in the course of the repair or maintenance of the vehicle; (ii) in the course of recovery operations following an accident; or (iii) where the asbestos is permanently bonded in cement or in any other material (including plastic, rubber or resin).	---------	all installations	----------	See, eg UK (Scotland) Legislation SSI 2000/323

		d. Destroying a railway vehicle by burning if asbestos has been incorporated in, or sprayed on to, its structure.	---------	all installations	----------	See, eg UK (Scotland) Legislation SSI 2000/323
		e. The industrial finishing, including shaping, drilling, or fitting manufactured asbestos products, of any of the following products where not carried out in conjunction with manufacture– i. asbestos filters; ii. asbestos friction products; iii. asbestos jointing, packaging, and reinforcement material; iv. asbestos packing; v. asbestos textiles.	---------	all installations	----------	See, eg UK (Scotland) Legislation SSI 2000/323

	3.3	Manufacture of glass and glass fibre	Melting capacity exceeds 20 tonnes/day	Melting capacity at or less than 20 tonnes/day	---------- -	Class B is all such installations below Class A threshold
	3.4	a. Melting mineral substances	Melting capacity exceeds 20 tonnes/day	Melting capacity at or less than 20 tonnes/day	---------- -	Class B is all such installations below Class A threshold
		b. Production of mineral fibres	Melting capacity exceeds 20 tonnes/day	Melting capacity at or less than 20 tonnes/day	---------- -	
	3.5	a. Manufacture of ceramic products by firing, including roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain	Production capacity exceeds 75 tonnes/day, and/or kiln capacity exceeds 4 m^3 and with a setting density for each kiln exceeds 300 kg/m^3	Production capacity at or less than 75 tonners/day, and/or kiln capacity at or less than 4 m^3 and setting density each kiln at or less than 300 kg/m^3	---------- -	Class B is all such installations below Class A threshold
		b. Firing heavy clay goods or refractory goods other than heavy clay goods in a kiln where the activity does not fall within a description in Category 3.5.a. above.	----------	all installations	----------	See, eg UK (Scotland) Legislation SSI 2000/323
		c. Vapour glazing earthenware or clay with salts.	----------	all installations	----------	See, eg UK (Scotland) Legislation SSI 2000/323

	3.6	Underground mining and related activities	----------	All installations	----------	Added at the request of the Ministry
	3.7	Opencast mining, quarrying, sand and clay extraction	----------	All installations	----------	Added at the request of the Ministry
	3.8	Dredging of coastal or inland surface waters	----------	All installations	----------	see eg UK SI 2007/3538
	3.9	Cutting, shaping and finishing of stone	----------	----------	All installations	
	3.10	Manufacture of abrasive products and other non-metallic mineral products	----------	----------	All installations	
Chemical Industry (1)	4.1	Production of basic organic chemicals (2)	All installations	----------	----------	
	4.2	Production of basic inorganic chemicals (3)	All installations	----------	----------	
	4.3	Production of phosphorous-, nitrogen- or potassium-based fertilisers (simple or compound fertilisers).	All installations	----------	----------	

	4.4	Production of basic plant health products and of biocides.	All installations	----------	----------	
	4.5	Production of basic pharmaceutical products using a chemical or biological process	All installations	----------	----------	
	4.6	Production of explosives	All installations	----------	----------	
	4.7	Storage of chemicals, other than as part of any other Class A or Class B activity, and other than in a mobile tanker	------	At or above the following thresholds: any one or more acrylates 20 tonnes; acrylonitrile 20 tonnes; anhydrous ammonia 100 tonnes; anhydrous hydrogen fluoride 1 tonne; toluene di-isocyanate 20 tonnes; vinyl chloride monomer 20 tonnes; ethylene 8,000 tonnes.	Below the Class B thresholds	See, eg UK (Scotland) Legislation SSI 2000/323

Waste management	5.1	a. Incineration of hazardous waste in an incinerator plant	All installations	------	--------	**Note for all waste management activities. The Local Government Unit is responsible for a number of waste management activities – especially as regards 'local' or municipal waste. For this reason the LGU cannot be the authority that issues permits: The authority cannot be both the regulator and the regulated**
		b. Incineration of waste, including animal remains, in an incineration plant other than an incinerator plant referred to in 5.1.a	Incinerator plant used or designed to incinerate waste a rate that exceeds 1tonne/hour	Incinerator plant used or designed to incinerate waste at a rate of 1tonne/hour or less	-------	Class B is all such installations below Class A threshold
	5.2	a. Landfill of waste, excluding landfill of inert waste	Deposit capacity exceeds 10 tonnes/day or with a designed landfill capacity exceeding 25,000 tonnes.	Deposit capacity at or less than 10 tonnes/day or with a designed landfill capacity exceeding 25,000 tonnes.	----------	Class B is all such installations below Class A threshold
		b. Landfill of inert waste	----------	All installations	---------	

	5.3	a. Disposal of hazardous waste other than by incineration (5.1.a) or by landfill (5.2.a)	Processing capacity exceeds 10 tonnes/day	Processing capacity at or less than 10 tonnes/day	--------	Class B is all such installations below Class A threshold
		b. Disposal of waste oils other than by incineration (5.1.a) or by landfill (5.2.a)	Processing capacity exceeds 10 tonnes/day	Processing capacity at or less than 10 tonnes/day	--------	Class B is all such installations below Class A threshold Also gives effect to the permitting requirements of the Waste Oils Directive
		c. Disposal of non-hazardous waste by biological treatment (D8)	Processing capacity exceeds 50 tonnes/day	Processing capacity at or less than 50 tonnes/day	-------	Class B is all such installations below Class A threshold
		d. Disposal of non-hazardous waste by physio-chemical treatment (D9)	Processing capacity exceeds 50 tonnes/day	Processing capacity at or less than 50 tonnes/day	-------	Class B is all such installations below Class A threshold
		e. Disposal of non-hazardous waste by methods other than by D8 or D9	-------	all installations	--------	Gives effect to permitting requirements of Waste Framework Directive
	5.4	a. Recovery of hazardous waste by operations R1, R5, R6, R8, or R9	All installations	-----	------	

		b. Recovery of hazardous waste by operations R2, R3, R4, R7 or R10	-------	All installations	----	Gives effect to permitting requirements of Waste Framework Directive Class B permits for non-IPPC recovery operations of Hazardous waste
		c. Recovery of non-hazardous waste	----	All installations	----	Gives effect to permitting requirements of Waste Framework Directive Class B permits for non-IPPC recovery operations of non-hazardous waste
	5.5	Storage of scrap metal	-----	All installations	----	see e.g. UK SI 2007/3538
	5.6	a. Cleaning, washing, spraying or coating of waste consisting of packaging or containers so that it can be reused	-------	All installations	----	Gives effect to permitting requirements of PPW Directive.
		b. Storage of waste in connection with carrying out 5.6.a activities	-----	All installations	----	Gives effect to permitting requirements of PPW Directive.
	5.7	Storage, treatment, repair or refurbishment of Waste Electronic and Electrical Equipment (WEEE)	----	All installations	----	Gives effect to WEEE Directive

	5.8	Storage, recovery of scrap metal or the dismantling of waste motor vehicles	------	All installations	---------- -	gives effect to End of life vehicles Directive
	5.9	Temporary storage of waste including garbage or tank washings, and including any such waste that is hazardous waste, at reception facilities within a harbour area, and where the waste is stored for no more than 7 days	------	All installations	---------- -	
	5.10	a. Hazardous Waste Transfer Station, not otherwise listed above	----	All installations	----	
		b. Non-hazardous Waste Transfer Station, not otherwise listed above.	----	------	All installations	

	5.11	Composting of bio-waste.	----------	All installations	----------	
Sewage and water treatment works	6.1	Urban wastewater treatment plant	----------	All installations	----------	gives effect to UWWT Directive
	6.2	Industrial on-site wastewater treatment	----------	All installations	----------	gives effect to UWWT Directive
	6.3	Use of sewage sludge on land	--------	All installations	----------	Gives effect to Sewage Sludge Directive requirements see eg UK SI 2007/3538
	6.4	Storage and or treatment of other municipal sewage wastes, including -sludge from urban waste water; -septic tank sludge; -cesspool waste; -waste from sewage cleaning	------	All installations	----------	see eg UK SI 2007/3538
Paper, Pulp and Board Manufacturing Activities	7.1	a. Production of pulp from timber or other fibrous materials	All installations	----------	----------	

		b. Production of paper and or cardboard	Production capacity exceeds 20 tonnes/day	Production capacity at or less than 20 tonnes/day	---------- -	Class B is all such installations below Class A threshold
		c. Manufacturing wood particleboard, oriented strand board, wood fibreboard, plywood, cement bonded particleboard or any other composite wood-based board.	-------	All activities	---------	see eg UK SI 2007/3538
Carbon Activities	7.2	Producing carbon or hard-burnt coal or electro graphite by means of incineration or graphitisation.	All installations	-------	----------	

Tar and Bitumen Activities	7.3	a. Distilling tar or bitumen in connection with any process of manufacture	---	the activity is likely to involve the use in any period of 12 months of more than 5 tonnes of tar or of bitumen or both in aggregate.	the activity is likely to involve the use in any period of 12 months of 5 tonnes or less of tar or of bitumen or both in aggregate.	See eg. UK SI 2007/3538
		b. Heating tar for the manufacture of electrodes or carbon-based refractory materials,	---	the activity is likely to involve the use in any period of 12 months of more than 5 tonnes of tar or of bitumen or both in aggregate.	the activity is likely to involve the use in any period of 12 months of 5 tonnes or less of tar or of bitumen or both in aggregate.	See eg. UK SI 2007/3538

		c. An activity not falling within 7.3.a or 7.3.b or elsewhere in this Annex, involving heating, but not distilling, tar or bitumen in connection with any manufacturing activity,	---------	the activity is likely to involve the use in any period of 12 months of more than 5 tonnes of tar or of bitumen or both in aggregate.	the activity is likely to involve the use in any period of 12 months of 5 tonnes or less of tar or of bitumen or both in aggregate.	See eg. UK SI 2007/3538
		d. An activity not falling within 7.3.a or 7.3.b or elsewhere in this Annex, involving oxidising bitumen by blowing air through it, at plant where no other activities described in any Section in this Annex are carried on	---------	the activity is likely to involve the use in any period of 12 months of more than 5 tonnes of tar or of bitumen or both in aggregate.	the activity is likely to involve the use in any period of 12 months of 5 tonnes or less of tar or of bitumen or both in aggregate.	See eg. UK SI 2007/3538

Textile or fibres Treatments	7.4	Plants for the pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of fibres or textiles	Treatment capacity exceeds 10 tonnes/day	Treatment capacity at or less than 10 tonnes/day	-------	Class B is all such installations below Class A threshold
Fur Treatments	7.5	Plants for the dressing and dyeing of furs		Treatment capacity exceeds 10 tonnes/day	Treatment capacity at or less than 10 tonnes/day	check where these come from
Tanning Treatments and Leather Manufacture	7.6	a. Tanning hides and skins	Treatment capacity of more than 12 tonnes of finished products per day.	Treatment capacity at or less than 12 tonnes of finished products per day.	-----	Class B is all such installations below Class A threshold
		b. Manufacture of leather products unless part of any other Activity in this Annex	--------	Capacity exceeds 5 tonnes/day	Capacity at or less than 5 tonnes/day	
Food and Beverage Activities and related activities	7.7	a. Slaughterhouses	Carcase production capacity greater than 50 tonnes per day.	Carcase production capacity at or less than 50 tonnes per day but more than 5 tonnes per day.	Carcase production capacity at or less than 5 tonnes per day.	need to consider B and C thresholds

		b. Disposing of or recycling animal carcasses or animal waste, other than by rendering or by incineration falling any other Activity on this Annex	treatment capacity exceeding 10 tonnes per day of animal carcasses or animal waste or both in aggregate.	treatment capacity at or less than 10 tonnes per day of animal carcasses or animal waste or both in aggregate.	-------	See eg UK SI 2007/3538
		c. Treating and processing materials intended for the production of food products from animal raw materials (other than milk)	Finished product production capacity of more than 75 tonnes per day	Finished product production capacity at or less than 75 tonnes per day	5 tonnes/day	Class B is all such installations below Class A threshold need to consider whether we need a Class C threshold
		d. Treating and processing materials intended for the production of food products from vegetable raw materials	Finished product production capacity of more than 300 tonnes per day (average value on a quarterly basis).	Finished product production capacity at or less than 300 tonnes per day (average value on a quarterly basis).	10 tonnes/day	Class B is all such installations below Class A threshold need to consider whether we need a Class C threshold

		e. Treating and processing milk	The quantity of milk received being more than 200 tonnes per day (average value on an annual basis).	The quantity of milk received being at or less than 200 tonnes per day (average value on an annual basis).	2 tonnes/day	Class B is all such installations below Class A threshold need to consider whether we need a Class C threshold
		f. Treatment or storage of dead fish or fish offal	--------	Plant capable of retaining volumes of more than 50m3 of treated liquor	Plant capable of retaining volumes at or less than 50m3 of treated liquor	see eg Scotland SSI 2000/323
		g. Manufacture and bottling of soft drinks	------	All installations	-------	Gives effect to Annex III of UWWT Directive
		h. Production of alcohol and alcoholic beverages, including breweries	-----	All installations	-------	Gives effect to Annex III of UWWT Directive
		i. Manufacture of fruit products	-----	All installations	-------	Gives effect to Annex III of UWWT Directive
		j. Manufacture of gelatine and glue from hide, skin and bones	-----	All installations	-------	Gives effect to Annex III of UWWT Directive

		k. Manufacture of tobacco products	----------	All installations	----------	
		l. Manufacture of animal feeds	----------	All installations	----------	Gives effect to Annex III of UWWT Directive
Intensive farming	7.8	a. Rearing poultry intensively in an installation	More than 40,000 places (head) of poultry	---------	----------	
		b. Rearing pigs intensively in an installation	More than 2,000 places (head) for production pigs (over 30 kg)	----------	--------	
		c. Rearing pigs intensively in an installation	More than 750 places (head) for sows	----------	----------	
Coating and Printing Activities	7.9	a. Installations for the surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating,	Consumption capacity of more than 150 kg per hour or more than 200 tonnes per year.	Consumption capacity of 150 kg/hour or less or 200 ton/year or less.	----------	

		b. Applying or removing a coating material containing any tributyltin compound or triphenyltin compound, if carried on at a shipyard or boatyard	--------	shipyard or boatyard where vessels of a length of 25 metres or more can be built, maintained or repaired.	--------	gives effect to Solvent Emission Directive see eg Scotland SSI 2000/323
		c. Repainting or re-spraying aircraft or railway vehicles or parts of them	---------	the activity is likely to involve the use in any period of 12 months of— (i) 20 or more tonnes of any paint or other coating material which is applied in solid form, (ii) 20 or more tonnes of any metal coatings which are sprayed on in molten form, or (iii) 5 or more tonnes of organic solvents.	Any such activity under the Class B thresholds	gives effect to Solvent Emission Directive see eg Scotland SSI 2000/323

		d. Repainting or re-spraying road vehicles or parts of them	-----	the activity is likely to involve the use of 1 or more tonne of organic solvents in any period of 12 months.	Any such activity under the Class B thresholds	gives effect to Solvent Emission Directive see eg Scotland SSI 2000/323

		e. Unless falling within 7.9.c or 7.9.d, any process (other than for the repainting or re-spraying of or of parts of aircraft or road or railway vehicles) for applying to a substrate, or drying or curing after such application , printing ink or paint or any other coating material as, or in the course of, a manufacturing activity,	--------	where the process is likely to involve the use in any period of 12 months of— (i) 20 or more tonnes of printing ink, paint or other coating material which is applied in solid form, (ii) 20 or more tonnes of any metal coating which is sprayed on in molten form, (iii) 25 or more tonnes of organic solvents in respect of any cold set web offset printing activity or any sheet fed offset litho printing activity, or (iv) 5 or more tonnes of organic solvents in respect of any activity not mentioned in subparagraph (iii).	Any such activity under the Class B thresholds	gives effect to Solvent Emission Directive see eg Scotland SSI 2000/323

		f. Unless falling within any Class A activity in this Annex, manufacturing or formulating printing ink or any other coating material containing, or involving the use of, an organic solvent	------	the activity is likely to involve the use of 100 or more tonnes of organic solvents in any period of 12 months,	Any such activity under the Class B thresholds	see eg UK SI 2007/3538
		g. Unless falling within any Class A activity in this Annex, manufacturing any powder for use as a coating material	----	Production capacity exceeds 200 tonnes of such powder in any period of 12 months.	Any such activity under the Class B thresholds	see eg UK SI 2007/3538
Timber Activities	7.10	a. Curing, or chemically treating, as part of a manufacturing process, timber or products wholly or mainly made of wood	-----	All activities	-----	see eg UK SI 2007/3538

		b. Unless falling within any other category in this Annex, manufacturing products wholly or mainly of wood at any works if the activity involves : the sawing, drilling, sanding, shaping, turning, planing, curing or chemical treatment of wood;	-----	the throughput of the works in any period of 12 months is likely to be more than— (i) 10,000 cubic metres in the case of works at which wood is only sawed, or (ii) 1,000 cubic metres in any other case.	Any such activity under the Class B thresholds	see eg UK SI 2007/3538
Rubber Activities	7.11	a. Manufacture of new tyres (but not including re-moulds or re-treads)	--------	Involves the use in any period of 12 months of 50,000 or more tonnes of one or more of the following— (i) natural rubber, (ii) synthetic organic elastomers, (iii) other substances mixed with them.	Any such activity under the Class B thresholds	see eg UK SI 2007/3538

		b. Unless falling within any Class A activity in this Annex, the mixing, milling or blending of— (i) natural rubber, or (ii) synthetic organic elastomers, if carbon black is used.	-----	all activities	----	see eg UK SI 2007/3538
		c. Re-moulding or re-treading of tyres	----	-----	all activities	Albanian legislation
Other Activities involving the use of solvents	7.12	a. Heatset web offset printing	----	Solvent consumption exceeds 15 tonnes/year	Solvent consumption at or less than 15 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		b. Publication rotogravure	----	Solvent consumption exceeds 25 tonnes/year	Solvent consumption at or less than 25 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		c. Other rotogravure, flexography, rotary screen printing, laminating or varnishing units	----	Solvent consumption exceeds 15 tonnes/year	Solvent consumption at or less than 15 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538

		d. Rotary screen printing on textile/cardboard	----	Solvent consumption exceeds 30 tonnes/year	Solvent consumption at or less than 30 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		e. Surface cleaning using substances or preparations which because of their content of volatile organic compounds classified as carcinogens, mutagens or toxic to reproduction	----	Solvent consumption exceeds 1 tonnes/year	Solvent consumption at or less than 1 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		f. Other surface cleaning	----	Solvent consumption exceeds 2 tonnes/year	Solvent consumption at or less than 2 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		g. Vehicle coating and vehicle refinishing	----	Solvent consumption exceeds 0.5 tonnes/year	Solvent consumption at or less than 0.5 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		h. Coil coating	----	Solvent consumption exceeds 25 tonnes/year	Solvent consumption at or less than 25 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538

		i. Other coating activities, including metal, plastic, textile (except rotary screen printing on textile), fabric, film and paper coating	----	Solvent consumption exceeds 5 tonnes/year	Solvent consumption at or less than 5tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		j. Winding wire coating	----	Solvent consumption exceeds 5 tonnes/year	Solvent consumption at or less than 5tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		k. Coating activity applied to wooden surfaces	----	Solvent consumption exceeds 15 tonnes/year	Solvent consumption at or less than 15 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		l. Dry cleaning	-----	------	all activities	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		m. Wood impregnation	----	Solvent consumption exceeds 25 tonnes/year	Solvent consumption at or less than 25 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		n. Coating activity applied to leather	----	Solvent consumption exceeds 10 tonnes/year	Solvent consumption at or less than 10 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538

		o. Footwear manufacture	----	Solvent consumption exceeds 5 tonnes/year	Solvent consumption at or less than 5 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		p. Wood and plastic lamination	----	Solvent consumption exceeds 5 tonnes/year	Solvent consumption at or less than 5 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		q. Adhesive coating	----	Solvent consumption exceeds 5 tonnes/year	Solvent consumption at or less than 5 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		r. Manufacture of coating preparations, varnishes, inks and adhesives	----	Solvent consumption exceeds 100 tonnes/year	Solvent consumption at or less than 100 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		s. Rubber conversion	----	Solvent consumption exceeds 15 tonnes/year	Solvent consumption at or less than 15 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
		t. Vegetable oil and animal fat extraction and vegetable oil refining activities	----	Solvent consumption exceeds 10 tonnes/year	Solvent consumption at or less than 10 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538

		u. Manufacturing of pharmaceutical products	----	Solvent consumption exceeds 50 tonnes/year	Solvent consumption at or less than 50 tonnes/year	gives effect to Solvent Emission Directive see eg UK SI 2007/3538
Manufacture of plastic products	7.13	Unless falling within any Class A or Class B activity in this Annex, the manufacture of any plastic products	----	-----	all activities	Albanian legislation
Intensive aquaculture	8.1	Rearing fish intensively	----	Production capacity at or less than 1,000 tonnes/year and greater than 100 tonnes/year fish	Production capacity at or less than 100 tonnes/year and greater than 10 tonnes/year fish	Suggestion of Ministry of Environment
	8.2	Shellfish farming	------	Production capacity at or less than 1,000 tonnes/year and greater than 100 tonnes/year shellfish	Production capacity at or less than 100 tonnes/year and greater than 10 tonnes/year shellfish	Suggestion of Ministry of Environment

Electrical components manufacturing industries	9.1	Manufacture of computer, electronic and optical products, unless specified elsewhere in this Annex	----------	----------	all installations	Albanian legislation
	9.2	Manufacture of electrical equipment unless specified elsewhere in this Annex	----------	----------	all installations	Albanian legislation
Machinery and equipment manufacturing industries	10.1	Manufacture of machinery and equipment unless specified elsewhere in this Annex	----------	----------	all installations	Albanian legislation
	10.2	Manufacture of motor vehicles, trailers and semi-trailers unless specified elsewhere in this Annex	----------	----------	all installations	Albanian legislation
	10.3	Manufacture of other transport equipment unless specified elsewhere in this Annex	----------	----------	all installations	Albanian legislation

	10.5	Repair and maintenance of machinery and equipment unless specified elsewhere in this Annex	----------	----------	all installations	Albanian legislation
	10.6	Repair of motor vehicles and motorcycles unless specified elsewhere in this Annex	----------	----------	all installations	Albanian legislation
Manufacture of furniture	11.1	Manufacture of furniture unless specified elsewhere in this Annex	----------	----------	all installations	Albanian legislation
Other activities	12.1	The cremation of human remains	----------	----------	all installations	Albanian legislation
	12.2	Capture of CO2 streams	From all Class A installations for the purposes of geological storage			IPPC Directive, as amended by Article 37 of Directive 2009/31/EC

Notes to the Table of Class A activities

(1) For the purposes of category 4 Chemical Industry, “production” means the production on an industrial scale by chemical processing of the substances or groups of substances listed in categories 4.1 to 4.6

(2) Basic organic chemicals include, but are not limited to:

a. simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic);
b. oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters, acetates, ethers, peroxides, epoxy resins;
c. sulphurous hydrocarbons;
d. nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates;
e. phosphorus-containing hydrocarbons;
f. halogenic hydrocarbons;
g. organometallic compounds;
h. basic plastic materials (polymers, synthetic fibres and cellulose-based fibres);
i. synthetic rubbers;
j. dyes and pigments;
k. surface-active agents and surfactants.

(3) Basic inorganic chemicals include, but are not limited to:

a. gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphurcompounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride;
b. acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids;
c. bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide;
d. salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate;
e. non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide.

(4) Recovery of hazardous waste means the following recovery operations, as defined in the Law No … dated xxxx "On Waste":

R1. Use principally as a fuel or other means to generate energy
R5. Recycling or reclamation of inorganic materials, including gasification and pyrolisis using the components as chemicals
R6. Regeneration of acids or bases
R8. Recovery of components from catalysts
R9. Oil re-refining or other reuses of oil.

(5) Disposal of non-hazardous waste means the following disposal operations as defined in the Law No … dated xxxx "On Waste":

D8.
D9.

(6) Surface treatment of substances, objects or products includes, but is not limited to:

a. Dressing
b. Printing
c. Coating
d. Degreasing

e. Waterproofing
f. Sizing
g. Painting
h. Cleaning
i. Impregnating.

Annex 2: Indicative list of the main polluting substances which must be taken into account if they are relevant for fixing emission limit values

Air

1. Sulphur dioxide and other sulphur compounds.
2. Oxides of nitrogen and other nitrogen compounds.
3. Carbon monoxide.
4. Volatile organic compounds.
5. Metals and their compounds.
6. Dust.
7. Asbestos (suspended particulates, fibres).
8. Chlorine and its compounds.
9. Fluorine and its compounds.
10. Arsenic and its compounds.
11. Cyanides.
12. Substances and preparations which have been proved to possess carcinogenic or mutagenic properties or properties which may affect reproduction via the air.
13. Polychlorinated dibenzodioxins and polychlorinated dibenzofurans.

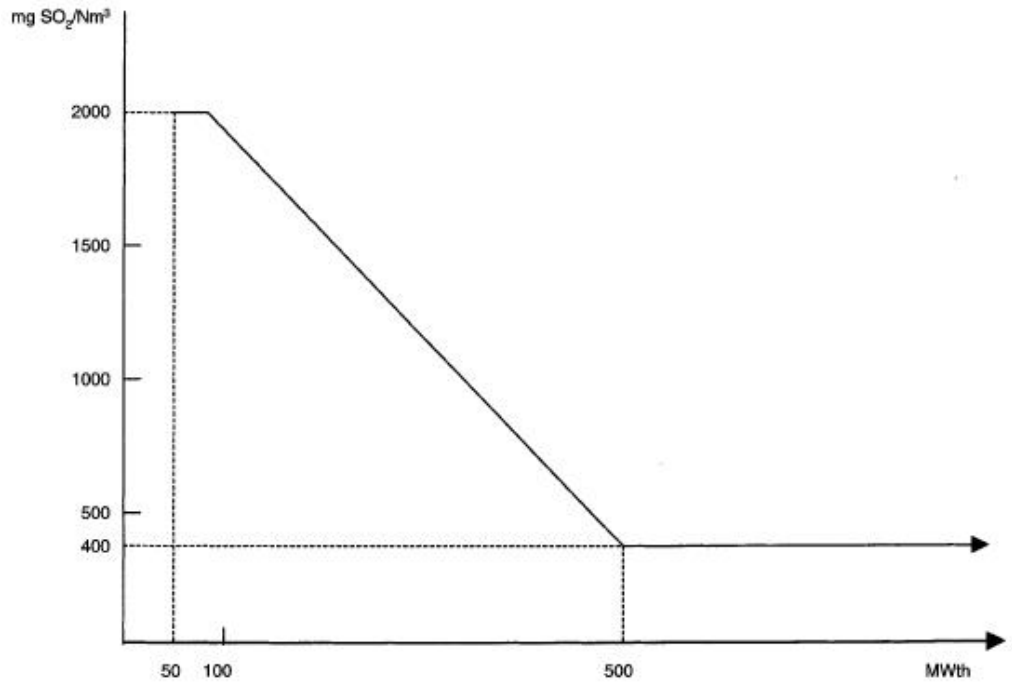
Water

1. Organohalogen compounds and substances which may form such compounds in the aquatic environment.
2. Organophosphorus compounds.
3. Organotin compounds.
4. Substances and preparations which have been proved to possess carcinogenic or mutagenic properties or properties which may affect reproduction in or via the aquatic environment.
5. Persistent hydrocarbons and persistent and bioaccumulable organic toxic substances.
6. Cyanides.
7. Metals and their compounds.
8. Arsenic and its compounds.
9. Biocides and plant health products.
10. Materials in suspension.
11. Substances which contribute to eutrophication (in particular, nitrates and phosphates).
12. Substances which have an unfavourable influence on the oxygen balance (and can be measured using parameters such as BOD, COD, etc.).

Annex 3. Emission Limit Values for SO_2 – Solid fuels

Part A

SO_2 emission limit values expressed in mg/Nm^3 (O_2 content 6 %) to be applied by existing plants pursuant to Article 20(2):



NB. Where the emission limit values above cannot be met due to the characteristics of the fuel, a rate of desulphurisation of at least 60 % shall be achieved in the case of plants with a rated thermal input of less than or equal to 100 MWth, 75 % for plants greater than 100 MWth and less than or equal to 300 MWth and 90 % for plants greater than 300 MWth. For plants greater than 500 MWth, a desulphurisation rate of at least 94 % shall apply or of at least 92 % where a contract for the fitting of flue gas desulphurisation or lime injection equipment has been entered into, and work on its installation has commenced, before 1 January 2001.

Part B

SO_2 emission limit values expressed in mg/Nm^3 (O_2 content 6 %) to be applied by new plants pursuant to Article 20(1) with the exception of gas turbines.

Type of fuel	50 to 100 MWth	100 to 300 MWth	greater than 300 MWth
Biomass	200	200	200
general case	850	200	200

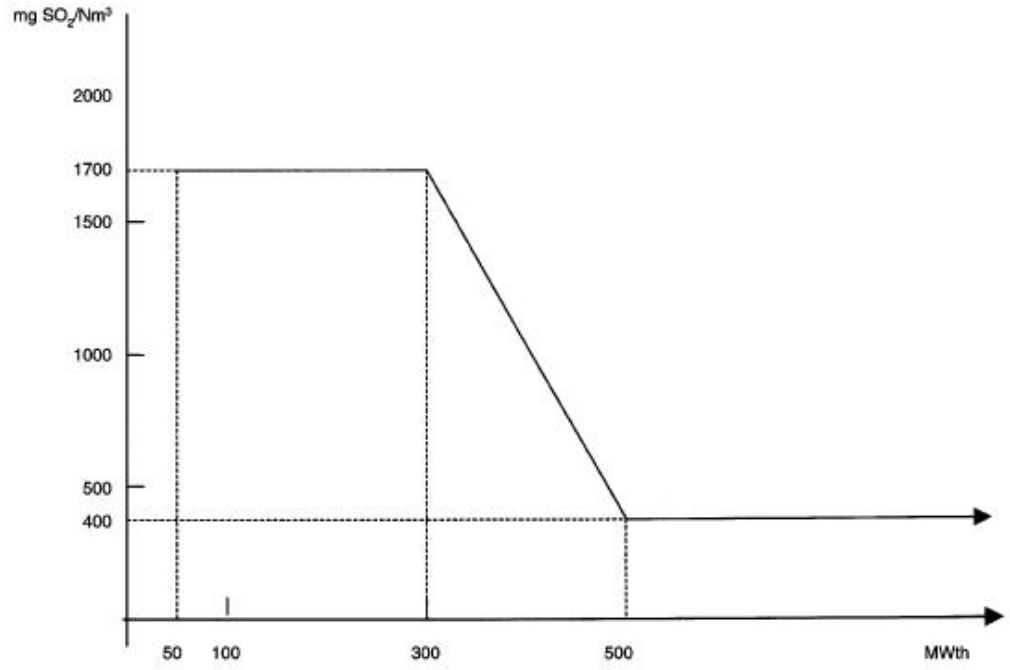
Note

Where the emission limit values above cannot be met due to the characteristics of the fuel, installations shall achieve 300 mg/Nm^3 SO_2 , or a rate of desulphurisation of at least 92 % shall be achieved in the case of plants with a rated thermal input of less than or equal to 300 MWth and in the case of plants with a rated thermal input greater than 300 MWth a rate of desulphurisation of at least 95 % together with a maximum permissible emission limit value of 400 mg/Nm^3 shall apply.

Annex 4. Emission Limit Values for SO_2 – Liquid fuels

Part A

SO_2 emission limit values expressed in mg/Nm^3 (O_2 content 3 %) to be applied by existing plants pursuant to Article 20(2):



Part B

SO_2 emission limit values expressed in mg/Nm^3 (O_2 content 3 %) to be applied by new plants pursuant to Article 20(1) with the exception of gas turbines:

50 to 100 MWth	100 to 300 MWth	Greater than 300 MWth
850	400 to 200 (linear decrease)	200

Annex 5. Emission Limit Values for SO_2 – Gaseous fuels

Part A

SO_2 emission limit values expressed in mg/Nm^3 (O_2 content 3 %) to be applied by existing plants pursuant to Article 20(2):

Type of Fuel	Limit values (mg/Nm^3)
Gaseous fuels in general	35
Liquefied gas	5
Low calorific gases from gasification of refinery residues, coke oven gas, blast-furnace gas	800
Gas from gasification of coal	

Part B

SO_2 emission limit values expressed in mg/Nm^3 (O_2 content 3 %) to be applied by new plants pursuant to Article 20(1):

Type of Fuel	Limit values (mg/Nm^3)
Gaseous fuels in general	35
Liquefied gas	5
Low calorific gases from coke oven	400
Low calorific gases from blast-furnace	200

Annex 6. Emission Limit Values for Oxides of Nitrogen (Measured as NO_2)

Part A

NOx emission limit values expressed in mg/Nm^3 (O_2 content 6 % for solid fuels, 3 % for liquid and gaseous fuels) to be applied by existing plants pursuant to Article 20(2):

Type of fuel	Limit values (mg/Nm^3)
Solid Fuel ([1])([2]):	
50 to 500 MWth	600
Greater than 500 MWth	500
From 1 January 2016	
50 to 500 MWth	600
Greater than 500 MWth	200
Liquid Fuel	
50 to 500 MWth	450
Greater than 500 MWth	400
Gaseous Fuel	
50 to 500 MWth	300
Greater than 500 MWth	200

Notes

(1) Until 31 December 2015 plants of a rated thermal input greater than 500 MW, which from 2008 onwards do not operate more than 2 000 hours a year (rolling average over a period of five years), shall, in the case of plant licensed in accordance with Article 20(2), be subject to a limit value for nitrogen oxide emissions (measured as NO_2) of 600 mg/Nm³.

From 1 January 2016 such plants, which do not operate more than 1 500 hours a year (rolling average over a period of five years), shall be subject to a limit value for nitrogen oxide emissions (measured as NO_2) of 450 mg/Nm^3.

(2) Until 1 January 2018 in the case of plants that in the 12 month period ending on 1January 2001 operated on, and continue to operate on, solid fuels whose volatile content is less than 10 %, 1 200 mg/Nm^3 shall apply.

Part B

NOx emission limit values expressed in mg/Nm^3 to be applied by new plants pursuant to Article 20(1) with the exception of gas turbines:

Solid fuels (O_2 content 6%)

Type of fuel	50 to 100 MWth	100 to 300 MWth	greater than 300 MWth

Biomass	400	300	200
General case	400	200	200

Liquid fuels (O_2 content 3%)

50 to 100 MWth	100 to 300 MWth	greater than 300 MWth
400	200	200

Gaseous fuels (O_2 content 3%)

Type of fuel	50 to 300 MWth	greater than 300 MWth
Natural gas ([1])	150	100
Other gases	200	200

Notes

(1) Natural gas is naturally occurring methane with not more than 20 % (by volume) of inerts and other constituents.

Gas turbines

NOx emission limit values expressed in mg/Nm^3 (O_2 content 15 %) to be applied by a single gas turbine unit pursuant to Article 20(1) (the limit values apply only above 70 % load):

Type of fuel	Greater than 50 MWth (thermal input at ISO conditions)
Natural gas ([1])	50 ([2])
Liquid fuels ([3])	120
Gaseous fuels other than natural gas	120

Gas turbines for emergency use that operate less than 500 hours per year are excluded from these limit values. The operator of such plants is required to submit each year to the National Environment Agency a record of such used time.

Notes

(1) Natural gas is naturally occurring methane with not more than 20 % (by volume) of inerts and other constituents.

(2) 75 mg/Nm^3 in the following cases, where the efficiency of the gas turbine is determined at ISO base load conditions:

a) gas turbines, used in combined heat and power systems having an overall efficiency greater than 75 %;
b) gas turbines used in combined cycle plants having an annual average overall electrical efficiency greater than 55 %;
c) gas turbines for mechanical drives.

For single cycle gas turbines not falling into any of the above categories, but having an efficiency greater than 35 % − determined at ISO base load conditions − the emission limit value shall be 50*η/35 where η is the gas turbine efficiency expressed as a percentage (and at ISO base load conditions).

(3) This emission limit value only applies to gas turbines firing light and middle distillates.

Annex 7. Emission Limit Values for Dust

Part A
Dust emission limit values expressed in mg/Nm^3 (O_2 content 6 % for solid fuels, 3 % for liquid and gaseous fuels) to be applied by existing plants pursuant to Article 20(2):

Type of fuel	Rated thermal input (MW)	Emission limit vales (mg/Nm^3)
Solid	500 or greater	50 ([2])
	less than 500	100
Liquid ([1])	all plants	50
Gaseous	all plants	5 as a rule
		10 for blast furnace gas
		50 for gases produced by the steel industry which can be used elsewhere

Notes

(1) A limit value of 100 mg/Nm^3 may be applied to plants with a rated thermal input of less than 500 MWth burning liquid fuel with an ash content of more than 0,06 %.

(2) A limit value of 100 mg/Nm^3 may be applied to plants licensed pursuant to Article 20(2) with a rated thermal input greater than or equal to 500 MWth burning solid fuel with a heat content of less than 5 800 kJ/kg (net calorific value), a moisture content greater than 45 % by weight, a combined moisture and ash content greater than 60 % by weight and a calcium oxide content greater than 10 %.

Part B
Dust emission limit values expressed in mg/Nm^3 to be applied by new plants, pursuant to Article 20(1) with the exception of gas turbines:

Solid fuels (O_2 content 6%)

50 to 100 MWth	Greater than 100 MWth
50	30

Liquid fuels (O_2 content 3%)

50 to 100 MWth	Greater than 100 MWth
50	30

Gaseous fuels (O_2 content 3%)

As a rule	5
For blast furnace gas	10
For gases produced by the steel industry which can be used elsewhere	30

Annex 8. Method for setting emission limit values for plants with a multi-firing unit

1. In the case of plants with a multi-firing unit involving the simultaneous use of two or more fuels, the National Environment Agency shall set the emission limit values as follows:
   (a) firstly by taking the emission limit value relevant for each individual fuel and pollutant corresponding to the rated thermal input of the combustion plant as given in Annexes 3 to 7,
   (b) secondly by determining fuel-weighted emission limit values, which are obtained by multiplying the above individual emission limit value by the thermal input delivered by each fuel, the product of multiplication being divided by the sum of the thermal inputs delivered by all fuels,
   (c) thirdly by aggregating the fuel-weighted limit values.

2. In the case multi-firing units using the distillation and conversion residues from crude-oil refining for own consumption, alone or with other fuels, the provisions for the fuel with the highest emission limit value (determinative fuel) shall apply, notwithstanding paragraph 1 above, if during the operation of the combustion plant the proportion contributed by that fuel to the sum of the thermal inputs delivered by all fuels is at least 50 %.

   Where the proportion of the determinative fuel is lower than 50 %, the emission limit value is determined on a pro rata basis of the heat input supplied by the individual fuels in relation to the sum of the thermal inputs delivered by all fuels as follows:
   (a) firstly by taking the emission limit value relevant for each individual fuel and pollutant corresponding to the rated heat input of the combustion plant as given in Annexes 3 to 7,
   (b) secondly by calculating the emission limit value of the determinative fuel (fuel with the highest emission limit value according to Annexes 3 to 7 and, in the case of two fuels having the same emission limit value, the fuel with the higher thermal input); this value is obtained by multiplying the emission limit value laid down in Annexes 3 to 7 for that fuel by a factor of two, and subtracting from this product the emission limit value of the fuel with the lowest emission limit value,
   (c) thirdly by determining the fuel-weighted emission limit values, which are obtained by multiplying the calculated fuel emission limit value by the thermal input of the determinative fuel and the other individual emission limit values by the thermal input delivered by each fuel, the product of multiplication being divided by the sum of the thermal inputs delivered by all fuels,
   (d) fourthly by aggregating the fuel-weighted emission limit values.

3. In the case of plants with a multi-firing unit involving the alternative use of two or more fuels, the emission limit values set out in Annexes 3 to 7 corresponding to each fuel used shall be applied.

Annex 9. Methods of Measurement of Emissions from Large Combustion Plants

1. Subject to paragraph 2, continuous monitoring shall be required of concentrations of SO_2, NOx and dust from waste gases from each combustion plant with a rated thermal input of 100 MW or more.

2. By way of derogation from paragraph 1, the National Environment Agency may not require continuous measurements in the following cases:
    a. for combustion plants with a life span of less than 10 000 operational hours;
    b. for SO_2 and dust from natural gas burning boilers or from gas turbines firing natural gas;
    c. for SO_2 from gas turbines or boilers firing oil with known sulphur content in cases where there is no desulphurisation equipment;
    d. for SO_2 from biomass firing boilers if the operator can prove that the SO_2 emissions can under no circumstances be higher than the prescribed emission limit values.

3. Where continuous measurements are not required, discontinuous measurements shall be required at least every six months.

4. As an alternative, to the requirement in paragraph 3, appropriate determination procedures, which must be verified and approved by the Environment and Forestry Agency, may be used to evaluate the quantity of SO_2, NOx and dust present in the emissions. Such procedures shall use relevant CEN standards as soon as they are available. If CEN standards are not available ISO standards, national or international standards which will ensure the provision of data of an equivalent scientific quality shall apply.

5. The operator of a combustion plant shall inform the National Environment Agency of any substantial changes in the type of fuel used or in the mode of operation of the combustion plant. The National Environment Agency shall review the adequacy of monitoring requirements for that combustion plant in the light of the information and revise if necessary.

6. The continuous measurements carried out in compliance with paragraphs 1 or 2 shall include the relevant process operation parameters of oxygen content, temperature, pressure and water vapour content. The continuous measurement of the water vapour content of the exhaust gases shall not be necessary, provided that the sampled exhaust gas is dried before the emissions are analysed.

    Representative measurements, i.e. sampling and analysis, of relevant pollutants and process parameters as well as reference measurement methods to calibrate automated measurement systems shall be carried out in accordance with CEN standards as soon as they are available. If CEN standards are not available ISO standards, national or international standards which will ensure the provision of data of an equivalent scientific quality shall apply.

Continuous measuring systems shall be subject to control by means of parallel measurements with the reference methods at least every year.

7. The values of the 95 % confidence intervals of a single measured result shall not exceed the following percentages of the emission limit values:

    Sulphur dioxide 20 %
    Nitrogen oxides 20 %
    Dust 30 %

    The validated hourly and daily average values shall be determined from the measured valid hourly average values after having subtracted the value of the confidence interval specified above.

    Any day in which more than three hourly average values are invalid due to malfunction or maintenance of the continuous measurement system shall be invalidated. If more than ten days over a year are invalidated for such situations the National Environment Agency shall require the operator to take adequate measures to improve the reliability of the continuous monitoring system.

Annex 10. Compliance Schedule Plan

Where, pursuant to Article 53, the operator of an existing Class A or Class B installation is required to provide the National Environment Agency with a Compliance Schedule Plan, such a Plan shall provide the following information as necessary.

Table 1. Activities for compliance with the Class A environmental permit or Class B environmental permit conditions

№	Activities	Investments (EUR)	Start of activity (date)	End of activity	Activity results	Method of control

Activities: Description of the activity/activities which shall be conducted in order to achieve compliance for the installations with the environmental legislation.

Investments: Investments for the activity.

Start: Date (month/year) for which the start of the activity has been planned.

End: Date (month/year) for which the termination of the activity or the launching into operation has been planned.

Result from the activity: The specific result shall be described (example: emission reduction).

Method of control: Description of the way in which the performed activity can be controlled.

Table 2. Deadlines for implementing the activities in table 1 and annual investments.

№	Activities	Costs by years, EUR				
		Year*	Year*	Year*	Year*	Year*

* Cost-benefit analysis by the operator proving the annual expenditure necessary for implementing each of the activities of Table 2