



EUROPEAN UNION



# Georgia's Draft Law on Industrial Emission

**VENERA METREVELI**

**Head of Environmental Assessment Department**

**National Environmental Agency of Georgia**

# EU-Georgia Association Agreement

---

**2018**

---

- adoption of national legislation and designation of competent authority
- establishment of emission limit values for new combustion plants

**2020**

---

- identification of installations that require a permit
- implementation of an integrated permit system
- establishment of a compliance monitoring mechanism

**2026**

---

- implementation of BAT taking into account the BAT conclusions of the BREFs
- establishment of emission limit values for existing combustion plants
- preparation of transitional national plans to reduce total annual emissions from existing plants

**Chapter I - General Provision**

**Chapter II - Issuance of the Integrated Permit**

**Chapter III - Monitoring and Control**

**Chapter IV - Administrative Offences**

**Chapter V - Transitional and Final Provisions**

**Annex I — Activities subject to integrated permit (Annex I - IED Directive)**

**Annex II — List of polluting substances (Annex II - IED Directive)**

**Annex III — Criteria for determining BATs (Annex III - IED Directive)**

**Combustion plants, incineration/co-incineration plants and activities using organic solvents - regulated by by-laws**

## **The Purpose of the Law**

---

**The purpose of the law** is to prevent, reduce and control emissions from polluting industrial activities to air, water and land, as well as to prevent the generation of waste.

The law envisages the **issuance of an integrated permit** for the activities provided in Annex I (including, energy production, chemical industry, waste management, etc.) and waste incineration/co-incineration plants.


The law imposes special requirements and emission limit values on the basis of **the Best Available Techniques (BAT)** for the plants subject to the integrated permit.

A competent authority for issuance of the integrated permit - **LEPL National Environmental Agency**.


# Competent Authorities




**Ministry of Environmental Protection and Agriculture**  
Implementation of state policy



**National Environmental Agency**  
Issuance of the integrated permit



**Environmental Supervision Department**  
Implementation of the state control



**Environmental Information and Education Centre**  
Access to information and public participation in the permit procedure

## Principles of the IED DIRECTIVE

---

**Integrated Approach** - means that the permits must take into account the whole environmental performance of the plant, covering e.g. emissions to air, water and land, generation of waste, use of raw materials, energy efficiency, noise, prevention of accidents, and restoration of the site upon closure;

**Best Available Techniques (BAT)** - issuance of permits and setting of ELVs are based on the conclusions on the best available techniques and on the best available techniques reference documents (**BREF**);

**Flexibility** - Agency is authorized **to set less strict or stricter ELVs**;

**Environmental Inspection System** - frequency of inspection is determined based on the assessment of environmental risks and should not exceed **1 year for activities with the highest risk and 3 years for activities with the lowest risk**;

**Public Participation** - access to information and public participation in the permit procedure are ensured, including accessibility to the emission monitoring results.

## **BAT Conclusions**

---

**Best Available Techniques (BAT)** - the most effective and advanced stage in the development of activities and their methods of operation, which allows for the establishment of integrated permit conditions to prevent and to reduce emissions and the impact on the environment as a whole.

**In the absence of BAT conclusions, the criteria set out in Annex III shall apply.**

Agency shall review the permit conditions of the integrated permit **within 4 years** after the approval of a new decision on BAT conclusions.

When conclusions do not include ELVs, the Agency must ensure, through the conditions of the integrated permit, that the technology meets the level of environmental protection equivalent to the BATs described in the conclusions.

## Emission Limit Values

---

The Agency is authorized to:

- **establish additional measures/stricter integrated permit conditions**, if the quality standards of the environmental conditions require **stricter conditions**, than conditions that can be achieved by using the BATs;
- **set a less strict ELVs** only when cost-benefit and/or economic analysis presented by the operator shows that achieving the emission levels associated with the best available techniques, as described in the BAT conclusions, would result in disproportionately high costs relative to the environmental benefits for the following reasons: **Geographical location or local environmental conditions of activity implementation; Technical characteristics of the activity.**



## **Monitoring Requirements**

---

The monitoring requirements shall (including measurement methodology, frequency, assessment procedure) be based on the BAT conclusions, if available.

The frequency of the periodic monitoring is determined by integrated permit.

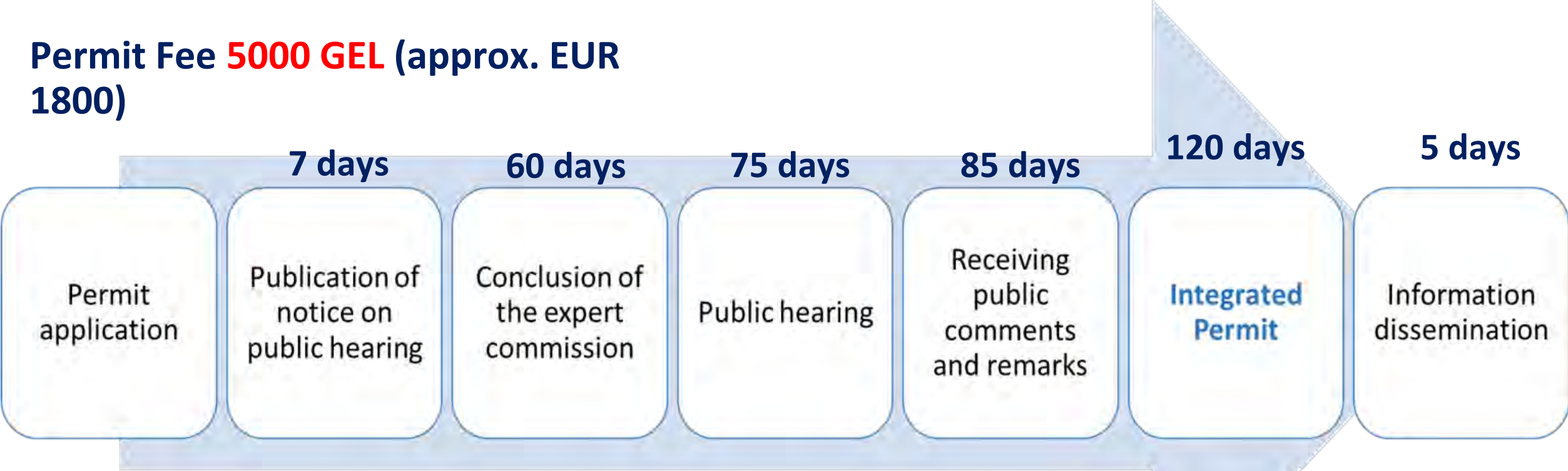
Periodic monitoring for **groundwater** must be carried out **at least once every 5 years**, and for **soil** - **at least once every 10 years**, except for cases when such monitoring is based on a systematic assessment of the risk of contamination.

The results of emission monitoring submitted to the Agency are public and published on the official website.

# Issuance of Integrated Permit

## Administrative Procedure

Permit Fee **5000 GEL** (approx. EUR 1800)



## Accelerated Procedure

Permit Fee **7500 GEL** (approx. EUR 2700)



## Changes by Operators to Installations

The operator is obliged to inform the Agency about **any changes or expansion planned** in the process of an activity, which may affect human health or the environment.

The Agency will determine within 60 working days whether the change is substantial or not. **In case of substantial change, a new permit will be issued.**

**If the change is not substantial,** the Agency makes a change in the permit within 30 working days.

# Reconsideration and Updating of Permit Conditions

---

The Agency is authorized to review the conditions of the integrated permit and make a decision on the need to make changes, in the following cases:

- When the activity/production process is not covered by the BAT conclusions and the BATs have been developed in such a way as to ensure a significant reduction of emissions;
- Operational security requires implementation of other techniques/technology;
- New findings on BATs were issued regarding the activity;
- Pollution caused by the activity is so important that it requires a review of the established ELVs;
- Environmental quality norms have been changed, based on which it is necessary to revise the conditions of the integrated permit;
- Amendment to the permit is necessary to comply with this law.

# Environmental Inspections

---

**The National Strategy of Environmental Inspection** is approved by the order of the Minister, based on which **the Annual Inspection plan** is approved at the end of each year in the same manner.

The frequency of facility inspections should be **based on environmental risk assessment** and **should not exceed 1 year for the highest risk activities and 3 years for the lowest risk activities.**

In case of significant non-compliance with the conditions of the integrated permit during the inspection, **inspection must be carried out again within 6 months of this inspection.**

## Administrative Offences

---

### **Implementation of activities without an integrated permit**

Carrying out activities without an integrated permit - will result in a fine **from 25,000 to 30,000 GEL (approximately EUR 8900 to EUR 10700)**

### **Failure to comply with the conditions of the integrated permit**

Failure to comply with the terms of the integrated permit – will result in a fine **from 10,000 to 15,000 GEL (approximately EUR 3600 to EUR 5400)**

**Planned activities provided in Annex I of the Law**, as well as incineration and co-incineration plants, are subject to an integrated permit from September 1, 2026;

**Existing activities provided in Annex I** require obtaining an integrated permit, according to the following deadlines:

- Energy production - until March 1, 2029;
- Production and processing of metals - until September 1, 2029;
- Processing of mineral raw materials - until March 1, 2030;
- Chemical industry - until September 1, 2030;
- Waste management, incineration and co-incineration plants - until March 1, 2031;
- Other types of activity - until September 1, 2031

**THANK YOU FOR YOUR ATTENTION**