

Steel industry lobbyists in Slovakia and the Czech Republic filled in negotiation seats for industrial emissions standards. Their goal is to hide their environmental impact and weaken standards. Steel operators, represented by EUROFER, have found a way to hamper the revision of environmental performance standards for its sector (ferrous metals processing industries), set under the Industrial Emissions Directive. How so? Firstly, using the guise of 'business confidential information' to hide certain key performance data on their environmental impact (energy and water intensity of ferrous metals processing). This data is essential for defining new, binding Best Available Techniques (BAT) on industry water and energy consumption standards that deliver on the European Green Deal. The EU's 'zero pollution' goal depends on the scientific robustness of this information. The steel lobby is aware of this, and where they fail to make a convincing case through transparently verifiable data, they even use more controversial methods, such as supplanting member state delegates in technical meetings by representatives working for an operator or a national industry group. These meetings are part of what is known as the 'Sevilla Process', where member states, concerned industry, NGOs and the European Commission exchange relevant information to negotiate new standards for industrial pollution prevention and control.

While the parent framework, the Industrial Emissions Directive, clearly provides for four distinct stakeholder group categories, making a clear differentiation between Member States and the industry concerned, some experts affiliated to the steel lobby EUROFER acted as Czech and the Slovak member state negotiators. This is in contradiction to the European Commission Expert rules, which clearly state that each member state delegation "shall only be represented by civil servants or public employees". In the case of this final meeting that sought to define emissions standards for the ferrous metals processing industry (FMP BREF), it was a delegate from US Steel Kosice (owned by US Steel) and a delegate from the Czech and Slovak steelmakers lobby, EUROFER branch, who took the lead in the discussions as the principal spokespersons of those countries.

This situation is also causing distrust in other industry stakeholders from member states, inhibiting them from sharing sensitive information due to a fear of industry infiltration within other member states. The entire Seville Process, which is based on an active and transparent exchange of information with a clear separation of different interest group categories, is being severely jeopardised by this malpractice. This infiltration not only entails a conflict of interest, it directly affects the necessary trust and public accountability of EU decision-making processes. The European Commission must not allow private companies and operators to use public fora to protect their vested interests, to the

detriment of public health and environmental protection. This is particularly worrying when defining state of the art pollution prevention standards for the EU's largest industrial activities, which accounts for more than half of the EU's carbon emissions.

Not the first time

On 1 March 2018, the European Commission sent a clarification following a similar type of scandal arising from the Large Combustion Plants BREF mass scale of industry infiltration revealed in the Greenpeace report 'Smoke and Mirrors'. The Communication says that "while member state representatives may be assisted in the information exchange by other experts, it is essential for a member state delegation to be led by a civil servant or public employee for it to be permitted to participate in the work of the Forum or its subgroups." Neither the Greenpeace report exposing the industry's modus operandi to infiltrate and negotiate its own standards, nor the European Commission response, have succeeded in stopping the lobbies' incursions. If the Commission does not tackle this problem head-on, lobbies and member states will keep copy-pasting this method to undermine industry's decarbonisation and zero pollution path.

Source: meta.eeb.org