

Serbia: EnC opens dispute against Serbia for lack of adoption of NERP

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The Energy Community (EnC) Secretariat sent an Opening Letter to Serbia to address the incomplete implementation of the Large Combustion Plants Directive.

The Directive took effect on 1 January 2018 in the Energy Community. For existing large combustion plants, two alternative implementation avenues exist: either compliance with the emission limit values for SO₂, NO_x and dust at individual plant level, or implementation of a National Emission Reduction Plan (NERP). Every plant must be covered by either of the two options. Out of the sixteen existing large combustion plants in Serbia, nine are under the scope of the dispute settlement case.

The draft NERP of Serbia was approved in 2016 by the Secretariat. In the past years, the Secretariat repeatedly called upon the national authorities for its adoption, which however has not happened. In the Opening Letter, the Secretariat takes the view that in the absence of a legally binding NERP, the existing large combustion plants in Serbia have to comply with the emission limit values of the Directive at individual level. This is not the case for the nine plants concerned.

By sending the Opening Letter, the Secretariat initiated a preliminary procedure, the purpose of which is to give Serbia the opportunity to react to the allegation of non-compliance with Energy Community law within two months and to enable the Secretariat to establish the full background of the case.