

Microalgae in France

Environmental Permitting

Under French environmental law, an industrial or agricultural activity 'likely to create hazards or cause pollution or nuisance especially for the health and safety of residents is a classified activity'. Applicants must assemble a dossier containing a letter specifying the installation location, the nature of the activities, manufacturing processes, and an assessment of the operator's financial and technical capacity. Supporting documents should include a location map, installation plan, an environmental impact assessment, a risk assessment and a note describing how the facility will comply with health and safety regulations. If a building permit is also requested for the installation, it must accompany the environmental permit application. Several stakeholders are consulted including different government bodies, including CODERST and also the public in the form of an inquiry.

Main implementing legislation	Primary implementing agency	Permit types
Law 76-663, as integrated into the Environmental Code in 2000	Prefecture Inspectorate	Environmental Licence

Key Points to consider:

1. What is the size of the facility?
2. What services exist already on the site?
3. Is the site located close to dwellings / environmentally sensitive areas / sites of special scientific interest?
4. Are any discharges produced by the site? Will significant amounts of waste be stored on site?
5. Are there any concerns about noise?
6. Are there any emissions from site?

First step:
- Contact Regional Prefecture

Planning

National planning rules are contained in the 'Code de l'Urbanisme' or Planning Code and associated regulations. It establishes the general rules for planning, including industrial development and also the use of EIA. But while national planning rules regarding permission apply across France, their interpretation varies between regions and municipalities/communes. Before applying for a building permit, applicants should ensure that the proposed development can be undertaken through acquiring a 'Certificat d'Urbanisme' (CDU). This document provides the rights to build on the land and should take account of relevant planning laws, plans and zoning. Once this right is established, developers can then apply for a building permit, with two types important. Firstly, for small scale developments of less than 20m², a 'Déclaration de travaux' (or declaration of works) is required. If the development is larger, then a full 'Permis de Construire' (or building permit) must be acquired. Applications for a CDU and building permit must be submitted to the local town hall or municipal planning office (DDE). In some cases, the application process will be managed by the prefecture (through the Direction Régionale de l'Environnement, de l'Aménagement et du Logement (DREAL))

Main implementing legislation	Primary planning authority	Planning mechanism
Code de l'Urbanisme	Local municipality/commune	Permis de Construire

Key Points to consider:

1. What size is the facility?
2. Is the site located close to dwellings / environmentally sensitive areas / sites of special scientific interest?
3. Are any discharges produced by the site?
4. What services exist already on the site?
5. Is the site likely to cause nuisance - e.g. noise above levels of agricultural machinery / odour / light above dense street lighting?

First step:
- Contact Local Municipality

Regulatory Issues

Regulatory issues are very much dependent on end use of biomass. Please consult the relevant factsheet for further information.

Factsheet #15. Algae as Feedstock for Energy Generation - European fuel quality and other bioenergy legislation are explained

Factsheet #16. Algae as Feedstock for Chemicals - this covers REACH and other pertinent legislation

Factsheet #17. Algae as Feedstock for Food or Feed - FEMAS and other regulations for entering the food chain are described in more detail.

Key Points to consider:

1. What inputs have gone into the production process: are any classified as waste?
2. What is the target end use of the algal biomass?
3. What further processing steps are required?