



**FOLKETINGET  
STATSREVISORERNE**



**FOLKETINGET  
RIGSREVISIONEN**

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submitted to the Public Accounts Committee**

# **Particularly polluting enterprises**

# 1. Introduction

## 1.1. Purpose and conclusion

1. This report concerns environmental permits and supervision of particularly polluting enterprises. It is the Danish Environmental Protection Agency under the Ministry of the Environment and Gender Equality that is responsible for these tasks.

2. There are about 400 enterprises in Denmark with a potentially significant environmental impact and which therefore require an environmental permit before they may be established or operated. These are referred to as particularly polluting enterprises. Stricter environmental requirements apply to these enterprises than to others. Their environmental permits must be continually updated as environmental requirements and legislation become more stringent. In addition, the Danish Environmental Protection Agency must at fixed intervals examine whether the enterprises comply with the requirements set out in the environmental permits.

The list of particularly polluting enterprises includes, for example, waste incineration plants, chemical factories, pharmaceutical companies and large abattoirs. The purpose of the requirements in environmental permits is to set limits on the level of pollution and thereby mitigate the harmful effects of production. A requirement might, for example, concern how much mercury and wastewater an enterprise may discharge, or the level of noise it may generate.

Technological developments continuously provide new opportunities to protect the environment better and at lower cost, for example through more effective chimney filters and cheaper waste-sorting systems. Therefore, the Danish Environmental Protection Agency must regularly review the requirements in enterprises' environmental permits and assess whether they can be tightened. This is referred to as reviewing environmental permits.

As a general rule, the environmental permits of particularly polluting enterprises must be reviewed at least every 10 years. If new environmental requirements from the EU arise in the meantime, the Danish Environmental Protection Agency has 4 years to review the permits. There are also rules on how often the agency must supervise whether enterprises comply with environmental requirements. As a starting point, the agency must supervise at least every 3 years, and more frequently if the risk of pollution is high.

If the environmental permits of particularly polluting enterprises are not reviewed, and if supervision is insufficient, this may lead to increased pollution and ultimately have consequences for nature and human health.

3. The purpose of the study is to assess whether the Ministry of the Environment and Gender Equality's administration of environmental permits and supervision of particularly polluting enterprises is satisfactory. We answer the following questions in the report:

- Does the Danish Environmental Protection Agency administer environmental permits and reviews in accordance with the rules?
- Does the Danish Environmental Protection Agency carry out the mandatory supervision to ensure that environmental permits are complied with?
- Does the Danish Environmental Protection Agency process cases concerning environmental permits at a pace that prevents a backlog of cases?

Rigsrevisionen initiated the study in February 2025.

## Conclusion

**The Ministry of the Environment and Gender Equality's administration of environmental permits and supervision of particularly polluting enterprises warrants criticism. The Danish Environmental Protection Agency is slow at approving cases and has, in a large number of cases, neither complied with the rules for reviewing environmental permits nor carried out the mandatory supervision of enterprises' pollution. The consequence is that the Danish Environmental Protection Agency has allowed enterprises to pollute according to outdated requirements for years, and that discharges of environmentally hazardous substances risk remaining undetected.**

### **The majority of particularly polluting enterprises have outdated environmental permits**

The Danish Environmental Protection Agency has ensured that about 96% of all particularly polluting enterprises hold an environmental permit, and that the permits required to be published have been published.

However, for 76% of enterprises the agency has not complied with the rules requiring environmental permits to be reviewed at least every 10 years. A number of enterprises have not had the conditions for how much they may pollute reviewed for 15-20 years. During this period, the agency could potentially have tightened the requirements so that enterprises would have had to pollute less. The agency has also failed to comply with the rules requiring EU environmental requirements to be implemented within the statutory 4-year deadline for 73% of enterprises.

The consequence is that enterprises may continue to pollute with hazardous substances even though the law should limit this. For example, half of the country's largest waste incineration plants have been permitted to discharge more mercury than EU environmental requirements have allowed since December 2023, because the Danish Environmental Protection Agency has not implemented the requirements. For the waste incineration plants that have had the requirements implemented, the agency has permitted all enterprises – except one – to discharge the maximum permissible amount of mercury.

### **The Danish Environmental Protection Agency does not carry out supervision to the extent required by law**

Half of the particularly polluting enterprises do not receive supervision to the extent required by law. This means that a long time may pass before any pollution with environmentally harmful substances is detected.

**Case-processing times for new environmental permits are increasing year by year, and so is the backlog of unprocessed cases**

The Danish Environmental Protection Agency has relaxed the target for case-processing time from 200 days in 2021 to 300 days in 2025 as case-processing times have increased. The agency has met the target in 2 out of 4 years in the period 2021–2024, but this has only been possible because the level of ambition has been lowered. When the agency assesses whether it meets the target, complex cases with exceptionally long processing times and unclosed cases are excluded. This makes the agency's assessment of case-processing times misleading. The backlog is growing because each year more cases are received than the agency can process. At the end of 2024, 244 cases were awaiting processing. The unclosed cases have an average waiting time of 700 days, and the oldest cases date from 2015. This can have significant economic consequences for enterprises that cannot start or expand production before the environmental permit is completed.

Since December 2023, the ministry's department has been informed of backlogs and delays concerning new environmental permits, reviews and supervision. The Danish Environmental Protection Agency has taken certain initiatives to reduce the backlogs. However, Rigsrevisionen considers that there is a significant risk that the initiatives will not be sufficient to address the problems highlighted in this study.