Reduction of national emissions of certain atmospheric pollutants

2013/0443(COD) - 23/11/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 499 votes to 177, with 28 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC.

Parliament's position, adopted at first reading following the ordinary legislative procedure, amended the Commission proposal as follows:

Objectives: in order to move towards achieving levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment, this amended Directive:

- establishes the emission reduction commitments for the Member States' anthropogenic atmospheric emissions of sulphur dioxide (SO 2), nitrogen oxides (NOx), non-methane volatile organic compounds (NMVOC), ammonia (NH 3) and fine particulate matter (PM 2,5);
- requires that **national air pollution control programmes** be drawn up, adopted and implemented and that emissions of those pollutants and the other pollutants as well as their impacts, be monitored and reported.

Moreover, Parliament noted that the Directive should also contribute to achieving:

- the **air quality objectives** set out in Union legislation and progress towards the Union's long-term objective of achieving levels of air quality in line with the air quality guidelines published by the World Health Organisation;
- the **Union's biodiversity and ecosystem objectives** in line with the 7th Environment Action Programme;
- enhanced synergies between the Union's air quality policy and other relevant Union policies, in particular **climate and energy policies**.

National emission reduction commitments: Member States shall:

- limit their annual anthropogenic emissions in accordance with the national emission reduction commitments **applicable from 2020 to 2029 and from 2030** onwards, as laid down in Annex II of the Directive;
- take the necessary measures aimed at limiting their 2025 anthropogenic emissions of sulphur dioxide, nitrogen oxides, non-methane volatile organic compounds, ammonia and fine particulate matter.

Member States may follow a **non-linear reduction trajectory** if this is economically or technically more efficient, and provided that as from 2025 it converges progressively on the linear reduction trajectory and that it does not affect any emission reduction commitment for 2030.

Flexibilities: in order to address some of the uncertainties inherent in setting national emission reduction commitments, the amended Directive **incorporates the revised Gothenburg Protocol** on the abate acidification, eutrophication and ground-level ozone. In particular, the revised Gothenburg Protocol establishes a mechanism to **adjust national emission inventories** and to average national annual emissions for a maximum of three years where certain conditions are met.

In addition, flexibilities are laid down in the amended Directive to **assist Member States in case of sudden and exceptional events** related to energy generation or supply provided that specific conditions are met. The use of those flexibilities should be monitored by the Commission.

National air pollution control programmes: in order to reduce emissions from anthropogenic sources, national air pollution control programmes should consider measures applicable to all relevant sectors, including agriculture, energy, industry, road transport, inland shipping, domestic heating and use of non-road mobile machinery and solvents. However, Member States should be entitled to decide on the measures to adopt in order to comply with the emission reduction commitments set out in this Directive. In drawing up national air pollution control programmes, Member States should take into account best practices in addressing, inter alia, the **most harmful pollutants** within the scope of this Directive with respect to sensitive human population groups.

Member States shall **update their national air pollution control programmes at least every four years**. The Commission may establish guidance on the elaboration and implementation of national air pollution control programmes.

Financial support: the Commission shall endeavour to facilitate access to existing Union funds, in accordance with the legal provisions governing those funds, in order to support the measures to be taken with a view to complying with the objectives of this Directive. Those Union funds include present and future available funding under, inter alia: (a) the Framework Programme for Research and Innovation; (b) the European Structural and Investment Funds, including relevant funding under the common agricultural policy; (c) instruments for the funding of environment and climate action such as the LIFE programme.

The Commission shall evaluate the possibility of creating a **one-stop shop**, where any interested party can easily check the availability of Union funds.

Clean Air Forum: the Commission shall set up a European Clean Air Forum, bringing together all stakeholders including competent authorities of the Member States at all relevant levels, to **exchange experience and good practices**, including on emission reductions from domestic heating and road transport, that can inform and enhance the national air pollution control programmes and their implementation.

Reports by the Commission: the Commission shall, by 39 months after the date of entry into force of this Directive and every four years thereafter, report to the European Parliament and the Council on the progress made in the implementation of this Directive. On the basis of these reports, the Commission shall **review this Directive no later than 31 December 2025**. If appropriate, the Commission shall present legislative proposals for emission reduction commitments for the period after 2030.

Lastly, the amended Directive recalled that it is important to **identify and respond to non-effective Union source-based air pollution control legislation** at an early stage is essential to achieving wider air quality objectives, as demonstrated by the discrepancy between real world emissions and test emissions of nitrogen oxides from EURO 6 diesel cars.