

Quality of petrol and diesel fuels: level of sulphur

2001/0107(COD) - 15/04/2002 - Council position

In its plenary vote on 29 November 2001, the EP adopted 36 amendments to the proposal. 17 of these have already been incorporated, either verbatim, in part or in spirit, into the Council" common position. The main issues are : - the final date after which the maximum sulphur content of all petrol and diesel sold must be limited to 10 mg/kg : the Commission proposed 1 January 2011, the EP proposed 1 January 2008 and the Council agreed on 1 January 2009. In relation to the availability of this fuel by 1 January 2005 the Council agreed that this should be on an "appropriate" geographic basis rather than "balanced" as in the Commission proposal; - non-road mobile machinery : the Commission did not propose changing this, the EP suggested the same requirements should apply from 1 January 2005 and the Council have requested that the Commission come forward with proposals in relation to fuel quality for non-road mobile machinery; however, Member States may now apply more stringent standards for sulphur content if they so wish; - more stringent environmental specifications for petrol and diesel than those set down in the directive when they are justified by local environmental conditions: the Council extended the current provision in Directive 98/70, whereby a Member State may seek permission to have more stringent environmental specifications for petrol and/or diesel in specific areas within its territory for air quality reasons, to include risks to groundwater pollution. More specifically, the 17 amendments, which Council has incorporated into its common position, can be grouped as follows: - reporting: the Commission agreed to make available the information requested in the new paragraph introduced by one of the amendments and another amendment makes small changes to the wording of the reporting requirement made on Member States; - dates: the earlier review date, suggested in one of the amendments for the full implementation of the proposal in relation to diesel fuel, of 31 December 2005 has been accepted verbatim, this fits with the Councils decision to made the end date two years earlier than proposed by the Commission; - 91 RON petrol: this amendment permits the continued sale of 91 RON petrol and was included as part of the common position; - review clause: the review clause agreed in the common position includes a requirement to consider the need to change other fuel parameters, and to encourage the introduction of the alternative fuels, including biofuels. The review also requires the Commission to consider the "impact of metallic additives and other relevant issues on the performance" of abatement technologies; - strengthening voluntary agreements: the spirit of this amendment has been incorporated with two minor changes to the wording; - recitals: amendments have been incorporated into the recitals. With regard to the 19 amendments which have not been incorporated into the common position, these refer to: - fiscal incentives; - derogations: the EP proposed to delete the possibility for a Member State to seek derogation from the obligation to market petrol and diesel with a sulphur content less than 50 parts permillion from 1 January 2005 for up to two years; - definition of a balanced geographic basis: the EP proposed that the Commission should identify, via a Comitology procedure , criteria to determine what would constitute availability of 10mg/kg petrol and diesel on a balanced geographic basis during the introductory phase. In conclusion, the Council considers that its common position takes account of the Opinion of the European parliament in first reading to a large extent. The Council's common position has moved the Commission's proposal towards the EP opinion in relation to most of the amendments which were not accepted. It represents a balanced solution for the amended directive, which ensures the environmental benefit to be derived from the new limits while also making requirements on the industry, which are practically feasible.