Air pollution: emissions from small park ignition engines, non-road mobile machinery

2000/0336(COD) - 25/03/2002 - Council position

The Council made a number of changes to the Commission proposal; the major change involved the deletion of those parts of the proposal which introduced an average and banking system for emissions. The Commission proposed the introduction of this system to follow the system used in the USA, however, the Council did not feel that this Directive was the appropriate place to introduce such a system. Therefore, reference to it have been deleted throughout the proposal. Without this system some alternative form of flexibility is required to accommodate those machines which, due to lack of current technical know-how, are unable to meet the relevant emission limits. The solution found requires the Commission to study the possible technical difficulties in complying with the Stage II requirements for certain uses of engines and if appropriate proposals, must be submitted by 31 December 2003. Other minor changes were also made to the exemptions for small volume engine manufacturers and some of the definitions. A technical working group studied the Annexes to the proposal and a number of minor technical changes proposed by them were incorporated into the Annexes. In its Plenary vote on 2 October 2001, the EP adopted 21 amendments to the proposal. Seventeen of these have been incorporated, verbatim, and one (Amendment 30) with a small addition, into the Council's common position. Three amendments which have not been incorporated are as follows: - the amendment which proposed that all chain saws and a list of handheld machinery should be completely exempt, from Stages I and II of the Directive, but unacceptable to both Council and Commission; - the amendment relating to the use of labelling and economic incentives to encourage early compliance and another which proposed a new recital on economic incentives. The Council felt that these incentives could already be provided without making explicit reference in the proposal, which could, in fact narrow the scope for the potential use of such incentives. The eighteen amendments, which the Council has incorporated into its common position, can be grouped as follows: - those which concern the deletion of the proposed averaging and banking system, which Council also wished to delete; - clarifications to definitions in Article 2; - an amendment which clarifies the application of the exemption for small volume engine producers; - those which simplify the system of reference to type approvals by specifying them in an Annex; - an amendment which requires Member States to implement the Directive by 18 months after the date of the entry into force of the directive; - an amendment which introduces a new Article 2a which requires the Commission to submit a report to the Council and the European Parliament on the potential cot and benefits and feasibility of reducing particulate emissions and emissions from certain recreational vehicles; small compression ignition engines and locomotive compression ignition engines; - an amendment which brings forward the proposed dates for compliance with Stage II for engine classes SH1, SH2 and SN3 to 1 August 2007 and for engine class SH3 to 1 August 2008; and - an amendment which provides, in a new Article 14a, for the flexibility mentioned above, which is required given that the average, banking and trading system proposed by the Commission is deleted. In the common position the proposed new Article 14a has been slightly modified by the addition of the words "in particular, professional use, multipositional, handheld engines". The aim of this addition is to specify more clearly the type of machinery which should be studied. The Commission also made a declaration listing the types of machinery it is likely to study, this list includes all those machines listed in amendment 29 which proposed that all chains saws and a list of other handheld machinery should be completely exempt, from Stages I and II of the Directive, which was rejected by the Council as too wide a derogation. In conclusion, the Council considers that its common position takes into account, almost entirely, the Opinion of the European Parliament in first reading and represents a balanced solution for those machines which cannot, for the moment, meet the requirements. The solution used, which requires recommendations from the Commission by the end of 2003, also provides a degree of certainty for the industry in meeting its environmental obligations.