Ambient air quality and cleaner air for Europe

2005/0183(COD) - 21/09/2005 - Legislative proposal

PURPOSE: To streamline existing EU legislation on ambient air quality by merging five separate legal instruments into a single Directive and to introduce new provisions on $PM_{2.5}$.

PROPOSED ACT: Directive of the European Parliament and of the Council

CONTENT: In line with the 2002 “Better Regulation” initiative the Commission is proposing to streamline provisions relating to ambient air quality and cleaner air for Europe. More specifically speaking, the current proposal aims to merge the provisions of five separate legal instruments into a single Directive with the intention of simplifying, streamlining and reducing the volume of existing legislation. Redundant provisions will be repealed, consistency between the separate legal acts improved and unnecessary obligations repealed. Non-essential reporting requirements will be repealed. Reporting and monitoring requirements will be simplified with a move towards electronic reporting. In addition, the proposal aims to revise substantially the existing provisions so as to incorporate the latest health and scientific developments and the experience of the Member States. As far as the scientific update is concerned the proposal seeks to update provisions on human exposure to $PM_{2,5}$ in ambient air. The five Directives to be streamlined are:

- Council Directive 96/62 – a Framework Decision on ambient air quality assessment and management.

- Council Directive 1999/30 relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air.

- Council and European Parliament Directive 2000/69 relating to limit values for benzene and carbon monoxide in ambient air.

- Council and European Parliament Directive 2002/3 relating to ozone in ambient air and

- Council Decision 97/101 establishing a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States.

As far as $PM_{2.5}$ is concerned, the Commission suggests that the best way to proceed is the introduction of an exposure reduction target to be attained by 2020, to reduce the annual average urban background concentrations of $PM_{2.5}$ as a defined percentage rate of the Member States measured over 2008-2010 and to replace the indicative limit values for PM_{10} for the year 2010 with a legally binding “cap” for the annual average concentrations of $PM_{2.5}$ of 25µgm-3 to be attained by 2010. Such a cap or ceiling would limit the overall risks associated with $PM_{2.5}$ to the population. The proposal also envisages a more comprehensive monitoring of certain pollutants.

For implementation purposes, the Commission proposes to set the objectives at a Community level with the Member States free to decide how to apply the Directive. This approach will ensure minimum standards of air quality for all citizens of the EU. At the same time, the Member States have a more precise knowledge of local circumstances and the measures that will delivery air quality benefits most cost-effectively.

The Commission proposes to review the provisions relating to $PM_{2.5}$ within five years of its adoption. It will develop and propose a detailed approach to establish legally binding exposure reduction obligations,

which take account of differing future air quality situations and reduction potentials in the Member States. A further feature of the proposal is the requirement that Member States further the text of their national provisions to the Commission along with a correlation table between their provisions and those set out in the Directive.

Lastly, as far as the Community budget is concerned, the Commission points out that the research needs linked to the proposal will be covered by the Member States, with an EU contribution covered by the budget by the 7th Research Framework Programme.