Basic information

1999/0068(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Air pollution: ozone in ambient air, emission ceilings Repealed by 2005/0183(COD) **Subject** 3.70.03 Climate policy, climate change, ozone layer	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
DELE EP Delegation to Conciliation Committee	DAVIES Chris (ELDR)	19/06/2001

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health, Consumer Policy	DAVIES Chris (ELDR)	14/09/1999
ENVI Environment, Public Health, Consumer Policy	DAVIES Chris (ELDR)	14/09/1999

Former committee for opinion	Former rapporteur for opinion	Appointed
ITRE Industry, External Trade, Research, Energy	LANGEN Werner (PPE-DE)	04/10/1999

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2373	2001-10-08
Agriculture and Fisheries	2402	2001-12-19
Environment	2295	2000-10-10
Environment	2235	1999-12-13
Environment	2334	2001-03-08
Environment	2207	1999-10-12
Environment	2253	2000-03-30

European Commission

Commission DG	Commissioner

	Environment

Key events

Date	Event	Reference	Summary
09/06/1999	Legislative proposal published	COM(1999)0125	Summary
23/07/1999	Committee referral announced in Parliament, 1st reading		
12/10/1999	Debate in Council		
13/12/1999	Debate in Council		
24/02/2000	Vote in committee, 1st reading		Summary
24/02/2000	Committee report tabled for plenary, 1st reading	A5-0062/2000	
14/03/2000	Debate in Parliament		
15/03/2000	Decision by Parliament, 1st reading	T5-0101/2000	Summary
30/03/2000	Debate in Council		
02/10/2000	Modified legislative proposal published	COM(2000)0613	Summary
08/03/2001	Council position published	13114/1/2000	Summary
14/03/2001	Committee referral announced in Parliament, 2nd reading		
28/05/2001	Vote in committee, 2nd reading		Summary
28/05/2001	Committee recommendation tabled for plenary, 2nd reading	A5-0187/2001	
12/06/2001	Debate in Parliament		
13/06/2001	Decision by Parliament, 2nd reading	T5-0321/2001	Summary
08/10/2001	Parliament's amendments rejected by Council		
23/10/2001	Report tabled for plenary, 3rd reading	A5-0454/2001	
22/11/2001	Formal meeting of Conciliation Committee		
22/11/2001	Final decision by Conciliation Committee		Summary
22/11/2001	Joint text approved by Conciliation Committee co-chairs	3658/2001	
19/12/2001	Decision by Council, 3rd reading		
17/01/2002	Decision by Parliament, 3rd reading	T5-0006/2002	Summary
12/02/2002	Final act signed		
12/02/2002	End of procedure in Parliament		
09/03/2002	Final act published in Official Journal		

Technical information

Procedure reference	1999/0068(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)

Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Repealed by 2005/0183(COD)
Legal basis	EC Treaty (after Amsterdam) EC 175-p1
Stage reached in procedure	Procedure completed
Committee dossier	CODE/5/14846

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0062/2000 OJ C 377 29.12.2000, p. 0005	24/02/2000	
Text adopted by Parliament, 1st reading/single reading		T5-0101/2000 OJ C 377 29.12.2000, p. 0047-0154	15/03/2000	Summary
Committee recommendation tabled for plenary, 2nd reading		A5-0187/2001	28/05/2001	
Text adopted by Parliament, 2nd reading		T5-0321/2001 OJ C 053 28.02.2002, p. 0132-0187 E	13/06/2001	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A5-0454/2001	23/10/2001	
Text adopted by Parliament, 3rd reading		T5-0006/2002 OJ C 271 07.11.2002, p. 0061-0153 E	17/01/2002	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	13114/1/2000 OJ C 126 26.04.2001, p. 0001	08/03/2001	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1999)0125	09/06/1999	Summary
Document attached to the procedure	SEC(1999)2004	29/11/1999	
Modified legislative proposal	COM(2000)0613 OJ C 029 30.01.2001, p. 0291 E	02/10/2000	Summary
Commission communication on Council's position	SEC(2001)0384	09/03/2001	Summary
	COM(2001)0476		

Commission opinion on Parliament's position at 2nd reading		07/08/2001	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1118/1999 OJ C 051 23.02.2000, p. 0011	08/12/1999	
CofR	Committee of the Regions: opinion	CDR0358/1999 OJ C 317 06.11.2000, p. 0035	14/06/2000	
CSL/EP	Joint text approved by Conciliation Committee co-chairs	3658/2001	22/11/2001	
EU	Implementing legislative act	32004D0279 OJ L 087 25.03.2004, p. 0050-0059	19/03/2004	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 2002/0003
OJ L 067 09.03.2002, p. 0014-0030 Summary

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 09/03/2001 - Commission communication on Council's position

Council accepts the long-term objectives proposed by the Commission and agrees on target values for the year 2010. A review is planned for 2004 to bridge the remaining gap between the target values and the long-term objectives. Council agrees also on the information and alert thresholds proposed by the Commission and the implementation of short-term action plans if the latter threshold would be exceeded. The agreed information and reporting obligations are in line with the Commission's proposal. In general, the major differnece between the Commission's proposal and the common position of the Council is in the numerical values of the target values set out in the Annex. In agreeing on target values, Council referred to the National Emission Ceilings on which political agreement was found at the June Council. The target values set in the common position are higher than those proposed by the Commission; however, they are consistent with the agreed ceilings. The Commission agreed to other changes relating to the alert threshold, assessment of concentrations, legally non-binding reference levels and the corresponding reporting requirements and comitology. In conclusion, the Commission is able to accept the Council's common position, which was agreed unanimously by Council. In referring to the National Emission Ceilings, Council's revision of the target values is in accordance with the concept of the Commission's proposal. Progress towards the long-term objectives will be related to the review of those ceilings foreseen for 2004.

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 15/03/2000 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Mr. Chris DAVIES (ELDR, UK) relating to ozone in ambient air. This report was subject to amendments which concern: - the early involvement of accession countries which is regarded as being essential; - the increased cooperation between the Member States in reducing ozone levels, use of the potential of transboundary measures and agreement on such measures; - the date for the long-term objectives for ozone concentrations in ambient air: these have to be achieved by 2020, subject to modification, if necessary during the reviews. In addition, the Member States should routinely make information available to the public as well as to appropriate organisations such as environmental organisations and consumer organisations. They shall also inform the Commission, the public, appropriate organisations such as environmental organisations, consumer organisations representing the interests of sensitive population groups and the health care bodies about both the results of

their investigations and the content and implementation of specific short-term action plans. Furthermore, they must provide the Commission annually with details of the content and implementation of such short-term action plans. In conclusion, information submitted by the Member States shall be published in a form that enables direct comparison of the performances of the Member States. Progress made by accession candidate countries as regards preparations for the implementation of Community air quality legislation shall be taken into account.

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 13/06/2001 - Text adopted by Parliament, 2nd reading

The European Parliament adopted, with several amendments, the report drafted by Mr Chris DAVIS (ELDR, UK) on improving air quality across the EU by getting the Member States to reduce ground-level exposure to ozone. (Please refer to the previous text). In the debate Environment Commissioner Margot WALLSTRÖM said that she supported the principle behind the amendments strengthening the legislation on target values, long-term objectives, short-term action plans and disseminating information, but only provided this was feasible and economically efficient and save where physically possible. She was opposed however to the amendment reducing the maximum number of days' exposure to ozone to 20 days and could not accept the amendments on involving the candidate countries on the grounds that this was outside the scope of the legislation.

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 09/06/1999 - Legislative proposal

PURPOSE: This proposal seeks to amend existing Community legislation regarding ozone in line with the requirements of Council Directive 96/62/EC on ambient air quality assessment and management (Air Quality Framework Directive). CONTENT: The Air Quality Framework Directive requires daughter legislation to include the following provisions: - limit values and /or target values, including dates for their attainment; - alert thresholds if appropriate and minimum details to be supplied in the event of exceedances; - criteria and techniques for measurement and other methods for assessing ambient air quality. Recognising that compliance with the long-term objective cannot be achieved in one step, the Commission has adopted a staged approach in this proposal. 1) The proposal explicitly includes the WHO Guidelines for ozone as long term objectives. The ultimate aim os to avoid exceedances of these long term objectives, but no date is set by which this should be achieved. 2) As an interim first stage, the proposal sets target values for 2010. These are based on WHO Guidelines with a view to reducing harmful effects on human health and the environment as quickly as possible over the medium term, but also taking into account of feasibility and cost. The fact that the Commission used the results of the scenario analysis performed by its consultant to derive the proposed target values provides consistency between the latter and the interim objectives underpinning the NEC proposal (and thus the expected effect of the emission ceiling proposed in the ozone strategy). 3) The Commission will review the implementation of this Directive in due course and consider whether further progress could be made towards meeting the long-term objectives.

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 12/02/2002 - Final act

AIM: To guarantee effective protection against the harmful effects on human health of exposure to ozone. COMMUNITY MEASURE: European Parliament and Council Directive 2002/3/EC on ozone in ambient air. CONTENT: Together with the directives on national emission ceilings for certain atmospheric pollutants and on the limitation of emissions of certain atmospheric pollutants into the air from large combustion plants, both of which were adopted on 27 September 2001, this directive completes a package of measures designed to improve air quality in accordance with the aims of framework directive 96/62/EC. The mechanism established by Directive 2002/3/EC relates to concentrations of ozone in ambient air and the provision of adequate public information on these concentrations. It establishes an information threshold, an alert threshold (higher than the information threshold), target values and long-term aims with a view to preventing or reducing the harmful effects of ozone on human health and the environment. When the mean ozone concentration rises above the information threshold of 180 grams per cubic metre (g/m3), measured over the course of one hour, which means that it could pose a risk to the health of particularly vulnerable sections of the population, the Member States will have to provide the public with updated information on current ozone concentrations. When the alert threshold, i.e. a mean concentration of 240 g/m3 over a one-hour period (this threshold has hitherto been set at 360 g/m3), is exceeded or is liable to be exceeded, the Member States must advise the public of the situation and, where appropriate, take short-term measures to control and, if necessary, reduce or suspend certain activities that produce emissions. To this end, the Member States are to draw up action plans indicating the specific measures to be taken in the short term for particularly sensitive areas. By 2010, the Member States must achieve the target values laid down in the directive for concentrations of ozone in ambient air, save where the values are not achievable through proportionate measures. The ultimate goal is to stop exceeding these values so as to avoid harmful effects on human health and the environment in the long term. The target value for the protection of human health is 120 g/m3 (this has yet to be introduced as a prescribed target), which must not be exceeded on more than 25 days in any year. The target value for the protection of vegetation has been fixed at 18 000 g/m3. The Directive also provides for long-term objectives, below which, according to current scientific knowledge, direct adverse effects on human health and the environment are unlikely. These objectives are 120 g/m3 for the protection of human health and 6 000 g/m3 for vegetation. The Member States will have to measure ozone concentrations regularly and communicate the results of these measurements to the Commission. In order to take these measurements, each Member State is required to designate sampling points distributed throughout its territory. ENTRY INTO FORCE: 9 March 2002. IMPLEMENTATION: 9 September 2003.

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 07/08/2001 - Commission opinion on Parliament's position at 2nd reading

On 13 June 2001 the European Parliament adopted 17 amendments. 3 amendments have been accepted by the Commission in full, 10 have been accepted in part or in principle. The remaining 4 amendments cannot be accepted. With regard to the amendments accepted by the Commission, these relate to: - maintaining air quality where it is good save when this is not possible due to transboundary pollution or meteorological conditions; - making it binding for Member States to consider examples of measures given in a guidance report to be adopted by a Committee; - requiring Member States to pay special attention to the effects of ozone on the environment and on human health. The Commission considers this as a useful supplement. The amendments accepted in principle by the Commission concern: - Member States having to report on short-term action plans. As reporting to the Commission is already covered by Article 10 (2) (iii) (c) the amendment should only mention reporting to the public etc. and could only be accepted in principle in its current wording. - ensuring consistency with the Directive on National Emission Ceilings; - the amendments addressing the attainment of the target values and the long-term objectives. They propose to replace the term "as far as possible" by "save where physically impossible" thereby making the requirement for attainment more binding. The Commission could agree on this, however feels it necessary to complement this wording by "or not cost effective". Lastly, the amendments not accepted by the Commission relate to: - the amendments which address accession candidate countries. These are not appropriate for an EU Directive; - the amendment requiring Member States to report also on target values. However, this is already covered, as the numeric value of the target value is identical to the long-term objective. With regard to the nature of the long-term objective the proposed reference to the protection of vegetation could not imply reporting to single exceedences but on an annually integrated value. Though this could be agreed in general the amendment would need a substantial rewording; - the transboundary nature of ozone.

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 17/01/2002 - Text adopted by Parliament, 3rd reading

The European Parliament adopted the resolution by Mr Chris DAVIES (ELDR, UK). (Please refer to the outcome of the conciliation committee 22/11 /01).

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 02/10/2000 - Modified legislative proposal

The amended proposal for a Directive relating to ozone in ambient air both accepts and rejects a number of amendments tabled by the European Parliament. The amendments accepted by the Commission relate to the following: - coordination between Member States and involvement of accession candidate countries; - information and reporting obligations; - environmental and human health protection. The amendments rejected by the Commission are in relation to the following: - the involvement of accession candidate countries in developing a strategy to abate ozone pollution; - the setting of 2020 as a fixed target year to achieve the long-term objectives; - the term "as far as possible" from the table in Annex I (II); - the term "where practicable" from the requirement of Article 6(2) to inform the public on predicted exceedances of the information or alert threshold; - the requirement that short-term action plans be drawn up on a local scale.

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 19/03/2004 - Implementing legislative act

ACT : Commission Decision 2004/279/EC concerning guidance for implementation of Directive 2002/3/EC of the European Parliament and of the Council relating to ozone in ambient air. CONTENT : to recall, Directive 2002/3/EC establishes long-term objectives, target values, an alert threshold and an information threshold for concentrations of ozone in ambient air. Article 7 of Directive 2002/3/EC requires Member States under particular conditions to draw up short-term action plans, where there is a risk of exceedances of the alert threshold. The guidance developed by the Commission in this respect should provide Member States with examples of measures, the effectiveness of which has been assessed. The Commission should provide Member States with guidelines for an appropriate strategy to measure ozone precursor substances in ambient air. In drawing up the guidance and guidelines in question, the Commission has called upon expertise in the Member States and in the European Environment Agency. Annex I of this Directive consists of general aspects for consideration by Member States when drawing up short-term action plans in accordance with Article 7 of Directive 2002/3/EC. Regional extensions of measures and short-term versus long term measures are also included in Annex I. Annex II deals with short-term measures (examples and experiences). Lastly, Annex III sets out guidelines on a strategy to measure ozone precursors.

Air pollution: ozone in ambient air, emission ceilings

1999/0068(COD) - 08/03/2001 - Council position

The Council integrated into its common position 10 amendments of the European Parliament relating to the following: cooperation with accession countries; cooperation between Member States; enviromental and health protection; informing the public of the investigations and the results of action plans; checking meteorological conditions; recent scientific research on human health; accession candidates and trans-border pollution and climate change. The Council partly accepted 4 amendments relating to defining the pollution level; gearing the action plans to the specificities of each case and each place; reporting to the Commission and publishing information. The Council rejected 3 of the European Parliament's amendments relating to the following: involving candidate countries in the development of the Community strategy to abate ozone pollution; fixing the year 2020 as the year by which long-term objectives must be attained and finally, the obligation to supply to the population certain information when the exceedance of the information or alert threshold is predicted.