Basic information

2008/0229(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Petrol vapour recovery during refuelling of passenger cars at service stations, Stage II See also Directive 94/63/EC 1992/0425(COD) **Subject** 3.60.02 Oil industry, motor fuels 3.70.02 Atmospheric pollution, motor vehicle pollution	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	PAPADIMOULIS Dimitrios (GUE/NGL)	12/01/2009

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	2963	2009-09-24

European Commission

Commission DG	Commissioner
Environment	DIMAS Stavros

Key events

Date	Event	Reference	Summary
04/12/2008	Legislative proposal published	COM(2008)0812	Summary
15/12/2008	Committee referral announced in Parliament, 1st reading		
31/03/2009	Vote in committee, 1st reading		Summary
02/04/2009	Committee report tabled for plenary, 1st reading	A6-0208/2009	
05/05/2009	Decision by Parliament, 1st reading	T6-0341/2009	Summary

05/05/2009	Results of vote in Parliament		
24/09/2009	Act adopted by Council after Parliament's 1st reading		
21/10/2009	Final act signed		
21/10/2009	End of procedure in Parliament		
31/10/2009	Final act published in Official Journal		

Technical information

Procedure reference	2008/0229(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	See also Directive 94/63/EC 1992/0425(COD)
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/70795

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE418.392	26/01/2009	
Amendments tabled in committee		PE421.212	03/03/2009	
Committee report tabled for plenary, 1st reading/single reading		A6-0208/2009	02/04/2009	
Text adopted by Parliament, 1st reading/single reading		T6-0341/2009	05/05/2009	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03669/2009/LEX	21/10/2009	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2008)0812	04/12/2008	Summary
Document attached to the procedure	SEC(2008)2937	04/12/2008	
Document attached to the procedure	SEC(2008)2938	04/12/2008	
Commission response to text adopted in plenary	SP(2009)3616	07/07/2009	

Follow-up document	SWD(2017)0065	28/02/2017	
Follow-up document	SWD(2017)0066	28/02/2017	
Follow-up document	COM(2017)0118	07/03/2017	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0878/2009	13/05/2009	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Directive 2009/0126
OJ L 285 31.10.2009, p. 0036 Summary

Petrol vapour recovery during refuelling of passenger cars at service stations, Stage II

2008/0229(COD) - 07/03/2017 - Follow-up document

This report from the Commission focuses on the results of the implementation review and follow-up to the evaluation of Directive 2009/126/EC (VOC-II) on petrol vapour recovery during refuelling of motor vehicles at service stations.

The VOC-II Directive ensures the recovery of harmful petrol vapour that would otherwise be emitted during the refuelling of a motor vehicle at a service station.

The Directive requires new service stations that have an annual throughput of over 500 m3 of petrol, and service stations with an annual throughput of over 100 m3 that are located under living accommodation, to **install 'stage II' petrol vapour recovery (PVR) systems**. Large service stations (with an annual throughput in excess of 3 000 m3) must install PVR systems by the end of 2018.

The Directive was evaluated in the context of the Commission's Regulatory Fitness and Performance (REFIT) programme on the basis of its effectiveness, efficiency, relevance, coherence and EU added value. Particular attention was paid to detecting and assessing regulatory burden and identifying opportunities for simplification.

The main observations are as follows:

1) Implementation of the VOC-II Directive: the report states that the Directive has been transposed into national law by all Member States, albeit with a delay in some cases. It is **generally well implemented by Member States**.

In the EU, **72% of all service stations** are currently fitted with stage II systems, but the situation varies significantly across Member States.

The consultation showed that stakeholders generally accepted the 100 m3 threshold as appropriate. The Commission considers that lowering the threshold would not currently be justified given the scale of potential emission reductions and the additional cost involved.

The assessment showed that commercially available equipment could achieve vapour **recovery efficiency of 85 to 95%**. It noted that generally, equipment was found to work according to the minimum standard obligations. The analysis also highlighted the importance of routine (at least annual) tests.

The potential for additional emission reductions from the generalised use of **automatic monitoring systems** throughout the EU appears to be limited. The voluntary approach allowed industry or Member States to adopt such systems where it was deemed useful.

2) Evaluation of the VOC-II directive: the Directive was found to be **effective, efficient, coherent and relevant, and to have EU added value**. The evaluation showed that:

- the Directive has been effective in contributing to the reduction in VOC emissions from petrol during the refuelling of motor vehicles at service stations. Today, the activities covered by Directive 94/63/EC concerning emissions of volatile organic compounds (VOC) from the storage of petrol and distribution from terminals to service stations (the VOC-I Directive) and VOC-II Directives contribute **only 0.7% of all anthropogenic VOC emissions in the EU**;
- with regard to efficiency, it was not possible to conduct a robust cost-benefit analysis due to the limited amount of data available. The available data suggest that the **costs are largely proportionate to the benefits**:

  I. savings resulting from reduced harmful effects on health and the environment have been estimated between EUR 92 to EUR 270m, whereas estimated financial benefits resulting from the sales of recovered petrol were estimated EUR 77m;

  II. annual costs for capital and maintenance have been estimated EUR 199m, and administration and compliance cost EUR 13m;

- the provisions of the Directive are coherent with other Union legislation, and the **Directive remains relevant** as a response to environmental and health threats, as well as in relation to the clean air policy objectives established in the 7th Environment Action Programme and the clean air policy package;
- with regard to **the obligation to display a sign**, sticker or other notification in the vicinity of petrol dispensers with PVR equipment, the evaluation concluded that legislative change may be more burdensome than simplification;
- lastly, the Directive has contributed to a **common level of EU regulation** and has stimulated cross-border trade in petrol and equipment.

The Commission will continue to cooperate with Member States to assist them in ensuring full implementation of the Directive.

Petrol vapour recovery during refuelling of passenger cars at service stations, Stage II

2008/0229(COD) - 05/05/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted 598 votes to 13, with 15 abstentions a legislative resolution amending, under the first reading of the codecision procedure, the proposal for a directive of the European Parliament and of the Council on Stage II petrol vapour recovery during refuelling of passenger cars at service stations.

The amendments are the result of a compromise between Parliament and Council.

The main amendments are as follows:

Definition of petrol: the compromise text provides that 'petrol' means petrol as defined in Article 2(a) of Directive 1994/63/EC, as opposed to Article 2(1) of Directive 98/70/EC. As the two legal instruments will apply simultaneously to the same service station it is important that there is consistency in the legal approach.

Service stations: the compromise text states that any new service station shall be equipped with a Stage II petrol vapour recovery system if, inter alia, its actual or intended throughput is greater than 100 m 3 per annum and it is situated under permanent living quarters or working areas.

Furthermore, any existing service station which undergoes a major refurbishment shall be equipped with a Stage II petrol vapour recovery system at the time of the refurbishment if: its actual or intended throughput is greater than 500 m 3 per annum; or if it is greater than 100 m 3 per annum and it is situated under permanent living quarters or working areas.

Any existing service station with a throughput in excess of 3000 m3 per annum shall be equipped with a Stage II petrol vapour recovery system by no later than **31 December 2018**.

Lastly, and by way of derogation, these provision will not apply to service stations exclusively used in association with the construction and delivery of new motor vehicles, since the fuel tanks of newly-manufactured motor vehicles contain no petrol vapour.

Minimum permitted level of petrol vapour recovery: Member States shall ensure, with effect from the date on which Stage II petrol vapour recovery systems are mandatory, that the petrol vapour capture efficiency of such systems is equal to or greater than 85 % as certified by the manufacturer in accordance with relevant European technical standards or type approval procedures or, if there are no such standards or procedures, with any relevant national standard.

Periodic checks: the in-service petrol vapour capture efficiency of Stage II petrol vapour recovery systems must be **tested at least once per annum** either by checking that the vapour/petrol ratio under simulated petrol flow conditions is in conformity with the provisions in the legislation or by any other appropriate methodology.

In addition, when a service station has installed a Stage II petrol vapour recovery system, it must display a sign, sticker or other notification, on or in the vicinity of the petrol dispenser, informing consumers of that fact.

Review: the Commission shall, by 31 December 2014, review the implementation of this Directive and, in particular:

- the 100 m 3 threshold referred to above;
- the in-service compliance record of Stage II petrol vapour recovery systems; and
- the need for automatic monitoring equipment.

Harmonised methods: the Commission should be empowered to adopt implementing measures concerning harmonised methods and standards in accordance with the regulatory procedure with scrutiny

Transposition: 1 January 2012 at the latest.

Petrol vapour recovery during refuelling of passenger cars at service stations, Stage II

2008/0229(COD) - 04/12/2008 - Legislative proposal

PURPOSE: to lay down measures aimed at reducing the amount of petrol vapour emitted to the atmosphere during the refuelling of motor vehicles at service stations.

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

CONTENT: the emissions of volatile organic compounds contained in petrol contribute to local and regional air quality problems (benzene and ozone) for which Community air quality standards and objectives exist. Ground level ozone is a pollutant which crosses national borders and is also the third most important greenhouse gas. Benzene is a known human carcinogen.

This legislative proposal aims at recovering petrol vapour which is emitted to the atmosphere during the refuelling of passenger cars at service stations (so called "Stage II Petrol Vapour Recovery or PVR").

The proposal has been prepared following commitments made by the College in:

I. the Thematic Strategy on Air Pollution;

II. the Commission's proposal to amend Directive 98/70/EC on petrol and diesel quality which aims to facilitate a greater uptake of biofuels and bioethanol in particular by relaxing the vapour pressure requirements of petrol;

III. a statement accompanying a new directive on ambient air quality in which the Commission recognised the importance of tackling air pollution at source in order to attain air quality objectives and which proposed several new Community source-based measures including Stage II PVR.

The proposal:

- would oblige the installation of Stage II petrol vapour recovery equipment at new and refurbished stations above 500m3 throughput per annum of petrol;
- require retrofitting of existing stations with a throughput above 3000 m3 by 2020;
- require all new or substantially refurbished stations situated under residential accommodation to equip with Stage II controls irrespective of size;
- no obligation to install automatic monitoring of Stage II PVR equipment but permit a longer period between inspections if it is installed.

Petrol vapour recovery during refuelling of passenger cars at service stations, Stage II

2008/0229(COD) - 21/10/2009 - Final act

PURPOSE: to reduce harmful emissions at service stations.

LEGISLATIVE ACT: Directive 2009/126/EC of the European Parliament and of the Council on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations

CONTENT: following a first reading agreement with the European Parliament, the Council adopted this directive that will decrease harmful emissions from petrol vapour at service stations. The Directive obliges numerous filling stations to install equipment recovering harmful gases that escape when refuelling cars and other vehicles.

It defines ‘Stage II petrol vapour recovery system’ as equipment aimed at recovering the petrol vapour displaced from the fuel tank of a motor vehicle during refuelling at a service station and which transfers that petrol vapour to a storage tank at the service station or back to the petrol dispenser for resale.

The main points of the Directive are as follows:

Service stations: the Directive states that any new service station (built on 1 January 2012 and after) shall be equipped with a Stage II petrol vapour recovery system if:

- its actual or intended throughput is greater than 500 m 3 /year; or
- its actual or intended throughput is greater than 100 m 3 /year and it is situated under permanent living quarters or working areas.

Furthermore, any existing service station which undergoes a major refurbishment must l be equipped with a Stage II petrol vapour recovery system at the time of the refurbishment if:

- its actual or intended throughput is greater than 500 m 3 /year; or
- its actual or intended throughput is greater than 100 m 3 /year and it is situated under permanent living quarters or working areas.

Any existing service station with a throughput in excess of 3 000 m 3 /year shall be equipped with a Stage II petrol vapour recovery system by no later than 31 December 2018.

By way of derogation these provisions will not apply to service stations exclusively used in association with the construction and delivery of new motor vehicles.

Minimum level of petrol vapour recovery: with effect from the date on which Stage II petrol vapour recovery systems become mandatory, the petrol vapour capture efficiency of such systems must be equal to or greater than 85 % as certified by the manufacturer in accordance with relevant European technical standards or type approval procedures referred to in the Directive or, if there are no such standards or procedures, with any relevant national standard.

With effect from the date on which Stage II petrol vapour recovery systems become mandatory, where the recovered petrol vapour is transferred to a storage tank at the service station, the vapour/petrol ratio shall be equal to or greater than 0,95 but less than or equal to 1,05.

Periodic checks and consumer information: Member States shall ensure that the in-service petrol vapour capture efficiency of Stage II petrol vapour recovery systems is tested at least once each year either by checking that the vapour/petrol ratio under simulated petrol flow conditions is in conformity with the provisions of the Directive or by any other appropriate methodology.

When a service station has installed a Stage II petrol vapour recovery system, it must display a sign, sticker or other notification on, or in the vicinity of, the petrol dispenser, informing consumers of that fact. Review

Review: the Commission shall, by 31 December 2014, review the implementation of the Directive and, in particular:

- the 100 m 3 /year threshold referred to in this Directive and Article 6(3) of Directive 94/63/EC;
- the in-service compliance record of Stage II petrol vapour recovery systems; and
- the need for automatic monitoring equipment.

It shall report the results of that review to the European Parliament and to the Council accompanied, if appropriate, by a legislative proposal.

Technical adaptations: the Commission is empowered to adopt certain implementing measures on harmonised standards in accordance with the regulatory procedure with scrutiny.

ENTRY INTO FORCE: 31/10/2009.

APPLICATION: from 01/01/2012.