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*****I**

REPORT

on the proposal for a directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe
(COM(2005)0447 – C6-0356/2005 – 2005/0183(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Holger Krahrmer

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe
(COM(2005)0447 – C6-0356/2005 – 2005/0183(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2005)0447)¹,
 - having regard to Article 251(2) and Article 175 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0356/2005),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0234/2006),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1
Recital 2

(2) In order to protect human health and the environment as a whole, emissions of harmful air pollutants should be avoided, prevented or reduced **and** appropriate **standards set for ambient air quality** taking into account relevant World Health Organisation standards, guidelines and programmes.

(2) In order to protect human health and the environment as a whole, **it is particularly important to combat the emission of pollutants at source. Therefore**, emissions of harmful air pollutants should be avoided, prevented or reduced. **To that end, the Commission should lay down immediately appropriate emission rules**, taking into account relevant World Health Organisation **air quality** standards, guidelines and programmes.

¹ Not yet published in OJ.

Justification

The basic approach taken by the proposal for a directive is based on pollution events and control. To ensure sustainable improvement of air quality in the European Union, the primary and immediate focus must be on appropriately regulating pollutant sources.

Amendment 2 Recital 5 a (new)

(5a) Where possible, pollution diffusion modelling should be applied to enable point data to be interpreted in terms of geographical distribution of concentration. This could serve as a basis for calculating the collective exposure of the population living in the area.

Justification

The geographical distribution of data concentration is the input for a realistic calculation of collective exposure and hence expected health effects

Amendment 3 Recital 7

(7) Detailed measurements of fine particulate matter at background locations should be made in order to understand better the impacts of this pollutant and to develop appropriate policies. **Such** measurements should be made in a manner consistent with those of the cooperative programme for monitoring and evaluation of the long range transmission of air pollutants in Europe (EMEP) set up under the 1979 Convention on Long-range Transboundary Air Pollution approved by Council Decision 81/462/EEC of 11 June 1981

(7) Detailed measurements **and calculations** of fine particulate matter at background locations should be made in order to understand better the impacts of this pollutant **and define background pollution** and to **be able to** develop appropriate policies. **Appropriate policies must aim in particular to take realistic account of the proportion, factored in to limit values of total pollution, which is background pollution. Measurements must be carried out efficiently. Therefore, information obtained from sampling points for fixed measurements should, as far as possible, be complemented by information obtained through modelling techniques and**

indicative measurements. Measurements should be made in a manner consistent with those of the cooperative programme for monitoring and evaluation of the long range transmission of air pollutants in Europe (EMEP) set up under the 1979 Convention on Long-range Transboundary Air Pollution approved by Council Decision 81/462/EEC of 11 June 1981.

Justification

In local authorities there is great uncertainty as the scale and impact of background pollution. The European legislative authority should therefore lay down a definition. For efficient data acquisition, modelling techniques and indicative measurements should also be used in addition to fixed measurements.

Amendment 4 Recital 8

(8) Air quality status should be maintained **or improved** where it is already good. Where air quality standards are exceeded, Member States should take action so that they achieve compliance with the specified values **but** exceedances attributable to wintertime sanding of roads should be ignored.

(8) Air quality status should be maintained, where it is already good, **in such a way that air quality standards are not exceeded. In the context of the sustainable development of the zone concerned, air quality should be improved.** Where air quality standards are exceeded, Member States should take action so that they achieve compliance with the specified values, **the onus on Member States with high exceedance levels being particularly great because, as a rule, air quality can be improved there in the most cost-effective manner.** Exceedances attributable to wintertime sanding of roads should be ignored.

Justification

There is greater potential for reducing air pollutants in Member States with a high level of contamination than in Member States where air quality is already good. Where air quality is already good and limit values are complied with, further improvement in air quality should be compatible with the sustainable development of the area concerned.

Amendment 5
Recital 10

(10) Fine particulate matter (PM_{2,5}) is responsible for significant negative impacts on human health. Further, there is as yet no identifiable threshold below which PM_{2,5} would not pose a risk. As such, this pollutant should not be regulated in the same way as other air pollutants. The approach should aim at a general reduction of concentrations in the urban background to ensure that large sections of the population benefit from improved air quality. However, to ensure a minimum degree of health protection everywhere, **that approach should be combined with an absolute concentration cap.**

(10) Fine particulate matter (PM_{2,5}) is responsible for significant negative impacts on human health. Further, there is as yet no identifiable threshold below which PM_{2,5} would not pose a risk. **As the available data for PM_{2,5} are not yet sufficient in order to introduce a limit value, a target value should initially be laid down.** As such, this pollutant should not be regulated in the same way as other air pollutants. The approach should aim at a general reduction of concentrations in the urban background to ensure that large sections of the population benefit from improved air quality. **In particular in zones with a very high level of fine particulate matter pollution, optimum use should be made of the available scope for reduction.** However, to ensure a minimum degree of health protection everywhere, **a target value for all zones should be laid down.**

Justification

Linked to the differentiated 20% reduction target and the setting of a target value instead of a limit value (concentration cap) for PM_{2,5}.

Amendment 6
Recital 13

(13) Fixed measurements of ozone should be mandatory in zones where the long-term objectives are exceeded. The use of supplementary means of assessment **should** be allowed for the purpose of reducing the required number of fixed sampling points.

(13) **Air pollutant measurements must be carried out efficiently and in a targeted fashion. Fixed measurements should therefore be complemented as far as possible, therefore, by modelling techniques and indicative measurements.** Fixed measurements of ozone should be mandatory in zones where the long-term objectives are exceeded. The use of supplementary means of assessment **must** be allowed for the purpose of reducing the

required number of fixed sampling points.

Justification

For efficient data acquisition, modelling techniques and indicative measurements should also be used, to, in addition to fixed measurements.

Amendment 7

Recital 15

(15) ***Existing air quality limit values should remain unchanged, although*** it should be possible to postpone the deadline for compliance in cases where, notwithstanding the implementation of appropriate pollution abatement measures, acute compliance problems exist in specific zones and agglomerations. Any postponement for a given zone or agglomeration should be accompanied by a comprehensive plan to ensure compliance by the revised deadline

(15) ***For zones where conditions are particularly difficult,*** it should be possible to postpone the deadline for compliance ***with the air quality limit and target values*** in cases where, notwithstanding the implementation of appropriate pollution abatement measures, acute compliance problems exist in specific zones and agglomerations. Any postponement for a given zone or agglomeration should be accompanied by a comprehensive plan to ensure compliance by the revised deadline. ***Flexibility for Member States is even more important if the necessary Community measures reflecting the chosen ambition level in the Thematic Strategy for Air to reduce emissions at source, including at least those measures mentioned in Annex XVIIa, have not entered into force by 1 January 2010, since some Member States will not be able to meet the limit values without these measures, despite huge efforts at national level.***

Amendment 8

Recital 16 a (new)

(16a) A thorough Impact Assessment of this Directive has been done taking both Better Regulation and the Sustainable Development Strategy into account. However, as CO₂ emission reductions are expected to be greater than predicted in the

Impact Assessment, costs might be overestimated and the benefits underestimated, since continued emission reductions after 2012 will contribute among other things to an improvement of air quality.

Amendment 9
Recital 16 b (new)

(16b) As far as possible, the aims of this Directive must be made compatible with the sustainable development of the zones concerned.

Amendment 10
Recital 17 a (new)

(17a) Regarding industrial installations, this Directive does not involve measures beyond the application of best available techniques (BAT) as required by Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control¹, and in particular will not lead to the closure of installations. However, it does require all the Member States to take all cost-effective abatement measures in the relevant sectors.

¹ OJ L 257, 10.10.1996, p. 26. Directive as last amended by Regulation (EC) No 166/2006 of the European Parliament and of the Council (OJ L 33, 4.2.2006, p. 1).

Justification

Directive 96/61/EC applies an integrated approach in which all relevant factors are taken into account when issuing permits and best available techniques are constantly revised. Directive 2004/107/EC already includes a clause similar to that proposed in this amendment.

Amendment 11
Recital 19 a (new)

(19a) In view of the transboundary character of specific pollutants and the consequent possibility that a limit value may be exceeded in a Member State on account of a cause over which the Member State has no direct influence, it must be possible for the Commission to grant Member States more time to comply with the standards laid down in this Directive.

Justification

It is well known that air quality problems are of a transboundary character. For Member States it is therefore not always possible to tackle all sources of pollution because certain sources are situated outside their own territory or that of the EU. If in this situation it proves impossible for Member States to comply with the standards laid down in this directive, the Commission must have the option of allowing such Member States extra time.

Amendment 12
Recital 20

(20) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air should also be readily available to the public.

(20) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air should also be readily available to the public. ***It must be ensured that the public is informed each day about current daily measured values.***

Justification

Regardless of limit values, the public should be informed about daily measured values.

Amendment 13
Article 2, point 6

(6) “concentration cap” shall mean a level fixed on the basis of scientific knowledge, with the aim of preventing unduly high risks for human health, to be attained within a given period and not to be exceeded once attained; **deleted**

Justification

The term 'concentration cap' corresponds de facto to a limit value. The Commission introduces this term for the purpose of laying down the new PM_{2.5} standard. The rapporteur proposes regulating PM_{2.5} in two stages: first a target value should be determined and later a limit value can be set when the directive is reviewed. No limit value should be set at present, because insufficient experience has been gained with measuring PM_{2.5} and the data are uncertain. The term 'concentration cap' should be replaced with 'target value' throughout the text.

Amendment 14
Article 2, point 16 a (new)

(16a) "Emissions from natural sources" shall mean any substance present in the air which has not been directly or indirectly created by human activity. In particular, they shall include emissions caused by natural events such as volcanic eruptions, earthquakes, geothermal activity, unintentional outdoor fires, sea salt or atmospheric resuspension or by atmospheric transport of natural particles from arid regions;

Justification

The directive regulates 'emissions from natural sources' without defining them in detail. For uniform implementation, and in the interests of comparable measurement results in all EU states, it is appropriate to define this term.

Amendment 15
Article 5, paragraph 2, subparagraph 1

2. The classification referred to in paragraph 1 shall be reviewed **at least** every five years in accordance with the procedure laid down in Section B of Annex II.

2. The classification referred to in paragraph 1 shall **be monitored and, after an assessment, the results shall** be reviewed every five years in accordance with the

procedure laid down in Section B of Annex II.

Amendment 16
Article 6, paragraph 2

2. In all zones and agglomerations where the level of pollutants in ambient air referred to in paragraph 1 exceeds the upper assessment threshold established for those pollutants, fixed measurements shall be used to assess the ambient air quality. Those fixed measurements *may* be supplemented by modelling techniques and/or indicative measurements to provide adequate information on ambient air quality.

2. In all zones and agglomerations where the level of pollutants in ambient air referred to in paragraph 1 exceeds the upper assessment threshold established for those pollutants, fixed measurements shall be used to assess the ambient air quality. Those fixed measurements *shall* be supplemented by modelling techniques and/or indicative measurements to provide adequate information on ambient air quality.

Justification

The modelling techniques and/or indicative measurements should be compulsory, in addition to the fixed measurements. Modelling techniques have a proven track record and make an important contribution to the compilation of reliable sets of data on air quality. This is particularly true of data on PM_{2.5}.

Amendment 17
Article 6, paragraph 3

3. In all zones and agglomerations where the level of pollutants in ambient air referred to in paragraph 1 is below the upper assessment threshold established for those pollutants, a combination of fixed measurements and modelling techniques and/or indicative measurements *may* be used to assess the ambient air quality.

3. In all zones and agglomerations where the level of pollutants in ambient air referred to in paragraph 1 is below the upper assessment threshold established for those pollutants, a combination of fixed measurements and modelling techniques and/or indicative measurements *shall* be used to assess the ambient air quality.

Justification

The modelling techniques and/or indicative measurements should be compulsory, in addition to the fixed measurements. Modelling techniques have a proven track record and make an important contribution to the compilation of reliable sets of data on air quality. This is particularly true of data on PM_{2.5}.

Amendment 18
Article 7, paragraph 2, subparagraph 1

2. In each zone or agglomeration where fixed measurements are the sole source of information for assessing air quality, the number of sampling points for each relevant pollutant shall not be less than the minimum number of sampling points specified in Section A of Annex V.

2. In each zone or agglomeration where fixed measurements are the sole source of information for assessing air quality, the number of sampling points for each relevant pollutant shall not be less than the minimum number of sampling points specified in Section A of Annex V. ***In these zones, the corresponding measurements must be carried out daily.***

Justification

It must be ensured that, even where there are no daily limit values, measurements of pollutants are carried out daily in order to collect data and provide the public with information and are complemented by modelling techniques only where this is feasible without a serious loss of information.

Amendment 19
Article 7, paragraph 2, subparagraph 2, point (a)

(a) the supplementary methods provide sufficient information for the assessment of air quality with regard to limit values, ***concentration caps*** or alert thresholds, as well as adequate information for the public;

(a) the supplementary methods provide sufficient information for the assessment of air quality with regard to limit values, ***target values*** or alert thresholds, as well as adequate information for the public;

(This amendment applies throughout the legislative text; if the amendment is adopted, technical modifications will be required throughout the text.)

Justification

The rapporteur proposes regulating PM_{2.5} in two stages: first a target value should be determined and later a limit value can be set when the directive is reviewed. No limit value should be set at present, because insufficient experience has been gained with measuring PM_{2.5} and the data are uncertain. The term 'concentration cap' should be replaced with 'target value' throughout the text.

Amendment 20
Article 7, paragraph 2, subparagraph 2, point (a a) (new)

(aa) daily measurements are carried out at the sampling points to be installed;

Justification

It must be ensured that, even where there are no daily limit values, measurements of pollutants are carried out daily in order to collect data and provide the public with information and are complemented by modelling techniques only where this is feasible without a serious loss of information.

Amendment 21

Article 7, paragraph 2, subparagraph 3

In the case referred to in the second subparagraph, the results of modelling and/or indicative measurement shall be taken into account for the assessment of air quality with respect to the limit values or ***concentration caps***.

In the case referred to in the second subparagraph, the results of modelling and/or indicative measurement shall be taken into account for the assessment of air quality with respect to the limit values or ***target values***.

(This amendment applies throughout the legislative text; if the amendment is adopted, technical modifications will be required throughout the text.)

Justification

The rapporteur proposes regulating PM_{2.5} in two stages: first a target value should be determined and later a limit value can be set when the directive is reviewed. No limit value should be set at present, because insufficient experience has been gained with measuring PM_{2.5} and the data are uncertain. The term 'concentration cap' should be replaced with 'target value' throughout the text.

Amendment 22

Article 7, paragraph 2 a (new)

2a. The Commission and the Member States shall ensure the uniform application of the criteria for selecting sampling points.

Justification

Clean air is also a factor for attaining the Lisbon objectives (in particular as regards the siting of businesses, tourism and unlimited feeder traffic). A uniform system of locations for sampling points must be ensured. Current measurement practice in individual Member States differs too widely and makes it impossible to compare measurement results.

Amendment 23
Article 12

In zones and agglomerations where the levels of sulphur dioxide, nitrogen dioxide, PM₁₀, PM_{2,5}, lead, benzene and carbon monoxide in ambient air are below the respective limit values or concentration caps specified in Annexes XI and XIV, Member States shall ensure that that air quality status is maintained.

In zones and agglomerations where the levels of sulphur dioxide, nitrogen dioxide, PM₁₀, PM_{2,5}, lead, benzene and carbon monoxide in ambient air are below the respective limit values or concentration caps specified in Annexes XI and XIV, Member States shall ensure that that air quality **compliance** status is maintained.

Justification

*This Article in the Commission text is ambiguous – is it that the air quality compliance status should be maintained or that the current (in compliance) air quality level would in effect become a more stringent air quality ‘cap’? With rising background hemispheric concentrations, variations in meteorology year to year and the need to expand economic activities in specific locations (in accordance with other political and social priorities), it is impractical to expect air quality to ‘stand still’. Insertion of the word **compliance** clarifies it is the compliance status that must be maintained.*

Amendment 24
Article 13, title and paragraph 1

Limit values for the protection of human health

1. Member States shall ensure that, throughout their territory, levels of sulphur dioxide, PM₁₀, lead, and carbon monoxide in ambient air do not exceed the limit values laid down in Annex XI.

In respect of nitrogen dioxide and benzene, the limit values specified in Annex XI may not be exceeded from the dates specified therein.

Limit values **and alert thresholds** for the protection of human health

1. Member States shall, **having regard to Section A of Annex III**, ensure that, throughout their territory, levels of sulphur dioxide, PM₁₀, lead, and carbon monoxide in ambient air do not exceed the limit values laid down in Annex XI.

In respect of nitrogen dioxide and benzene, the limit values specified in Annex XI may not be exceeded from the dates specified therein.

Compliance with these requirements shall be assessed in accordance with Section B of

Annex III.

The margins of tolerance laid down in Annex XI shall apply in accordance with Article 21.

The margins of tolerance laid down in Annex XI shall apply in accordance with Article 21.

Justification

The Commission's proposal requires on the one hand in Art. 13 that limit values (for the protection of human health) must be met by the Member States throughout their territory (this means everywhere); on the other hand Annex III requires that sampling points directed at the protection of human health should be sited where the population is likely to be exposed for a period which is significant in relation to the averaging period of the limit values or is generally exposed. Consequently, the areas where limit values apply (Art. 13) and where compliance is checked and demonstrated by measurements (Annex III) are not identical; the assessment regime (at least based on monitoring) does not correspond to the areas where limit value(s) apply. This contradiction places Member States, the public and the Commission in a very difficult position and is likely to give rise to endless lawsuits.

Amendment 25

Article 13, paragraph 3, subparagraph 1

Member States may designate zones or agglomerations within which limit values for PM₁₀ are exceeded owing to concentrations of PM₁₀ in ambient air due to the resuspension of particulates following road-sanding in winter-time.

Member States may designate zones or agglomerations within which limit values for PM₁₀ are exceeded owing to concentrations of PM₁₀ in ambient air due to the resuspension of particulates following road-sanding in winter-time, **or road cleaning, provided that PM_{2,5} levels are not affected.**

Justification

The actual risk is connected with the particles of the PM_{2.5}. In the interval between PM 2.5 and PM 10, particles mostly deposit on the upper airways that are characterized by fast removal mechanisms and therefore do not exert long term effects.

Amendment 26

Article 13, paragraph 3, subparagraph 4

Without prejudice to Article 19, in the case

Without prejudice to Article 19, in the case

of the zones or agglomerations referred to in the first subparagraph of this paragraph, Member States need establish the plans or programmes provided for in Article 21 only in so far as exceedances are attributable to PM₁₀ sources other than road-sanding in wintertime.

of the zones or agglomerations referred to in the first subparagraph of this paragraph, Member States need establish the plans or programmes provided for in Article 21 only in so far as exceedances are attributable to PM₁₀ sources other than road-sanding **and salting** in wintertime.

Justification

Salt should likewise be mentioned, as its use is essential in many regions during the winter.

Amendment 27
Article 15, title

PM_{2,5} exposure reduction target and **concentration cap** for the protection of human health

PM_{2,5} exposure reduction target and **target value and limit value for PM_{2,5} concentration** for the protection of human health

Amendment 28
Article 15, paragraph 2 a (new)

2a. The 20% exposure reduction target shall be the average level obtained for the European Union. The exposure reduction target shall be differentiated among Member States in relation to their concentration levels.

Amendment 29
Article 15, paragraph 4

4. Member States shall ensure that concentrations of PM_{2,5} in ambient air **do not exceed the concentration cap laid down in Section C of Annex XIV throughout their territory as from the date specified therein.**

4. Member States shall ensure that **the target value and limit value for** concentrations of PM_{2,5} in ambient air **is attained throughout their territory as from the date specified in Section C of Annex XIV.**

Justification

PM_{2,5} data currently available are not yet adequate for laying down a new binding limit value. The same mistake should not be made as was made with PM₁₀, when binding limit values were introduced without adequate data.

Amendment 30 Article 20

1. Where, in a given zone or agglomeration, conformity with the limit values for nitrogen dioxide or benzene or the **concentration cap** for PM_{2,5} cannot be achieved by the deadlines specified in Annex XI or in Section C of Annex XIV, a Member State may postpone those deadlines by a maximum of five years for that particular zone or agglomeration, **subject to the following conditions:**

1. Where, in a given zone or agglomeration, conformity with the limit values for nitrogen dioxide, benzene, **PM₁₀** or the **target value** for PM_{2,5} cannot be achieved by the deadlines specified in Annex XI or in Section C of Annex XIV, a Member State may postpone those deadlines by a maximum of five years **from the entry into force of this Directive** for that particular zone or agglomeration, **if the Member State shows that all appropriate measures have been taken at national, regional and local level to meet the deadlines referred to above, including implementation of the Directives referred to in Section B of Annex XV by the deadlines specified in those Directives, and that the background concentrations of the relevant pollutants concerned show a downward trend. A plan or a programme shall be drawn up for the zone or agglomeration in accordance with Article 21 demonstrating what measures will be taken in order to meet the limit values by the new deadline.**

(a) establishment of a plan or a programme in accordance with Article 21 for the zone or agglomeration to which the postponement would apply, and communication of that plan or programme to the Commission;

(b) establishment, and communication to the Commission, of an air pollution abatement programme for the period of the postponement, which incorporates at least the information listed in Annex XV section B, and demonstrates that conformity will be

achieved with the limit values or concentration caps before the new deadline.

2. Where, in a given zone or agglomeration, conformity with the limit values for sulphur dioxide, carbon monoxide, lead ***and PM10*** as specified in Annex XI cannot be achieved because of site-specific dispersion characteristics, adverse climatic conditions or transboundary contributions, Member States shall be exempt from the obligation to apply those limit values until 31 December 2009 at the latest, provided that the conditions laid down in paragraph 1 ***(a) and (b)*** are fulfilled.

3. Where a Member State applies paragraphs 1 ***or 2***, it shall ensure that the limit value ***or concentration cap*** for each pollutant is not exceeded by more than the maximum margin of tolerance specified for each of the pollutants concerned in Annexes XI or XIV.

4. Member States shall notify the

2. Where, in a given zone or agglomeration, conformity with the limit values for sulphur dioxide, carbon monoxide ***and lead*** as specified in Annex XI cannot be achieved because of site-specific dispersion characteristics, adverse climatic conditions or transboundary contributions, Member States shall be exempt from the obligation to apply those limit values until 31 December 2009 at the latest, provided that the conditions laid down in paragraph 1 are fulfilled.

2a. Member States may postpone the deadlines for the limit values for PM₁₀ and PM_{2,5} or the target value for PM_{2,5} referred to in paragraph 1 by an additional period of a maximum of five years for a particular zone or agglomeration, when the air quality plan under paragraph 1 demonstrates that the limit values cannot be met, if the Member State shows that all appropriate measures have been taken at national, regional and local level to meet the deadlines referred to above, including implementation of the Directives and Regulations referred to in section B of Annex XV and Annex XVIIa by the deadlines specified in those legal acts. A revised air quality plan shall explain the causes for the exceedance after the deadlines mentioned above and shall demonstrate what measures will be taken in order to meet the limit values within the additional period.

3. Where a Member State applies paragraphs 1, 2 ***or 2a*** it shall ensure that the limit value for each pollutant, ***having taken into account any increase as justified by Article 30a***, is not exceeded by more than the maximum margin of tolerance specified for each of the pollutants concerned in Annexes XI or XIV.

4. Member States shall notify the

Commission without delay where, in their view, paragraphs 1 *or* 2 are applicable, and shall transmit the plans or programmes and air pollution abatement programme referred to in paragraph 1 *(a) and (b)* including all relevant information necessary for the Commission to assess whether or not the relevant conditions are satisfied.

Where the Commission has raised no objections within *nine* months of receipt of *that* notification, the relevant conditions for the application of paragraph 1 *or paragraph 2* shall be deemed to be satisfied.

If objections are raised, the Commission may require Member States to adjust or provide new plans or programmes or air pollution abatement programmes.

Commission *as well as all other Member States* without delay where, in their view, paragraphs 1, 2 *or 2a* are applicable, and shall transmit the plans or programmes and air pollution abatement programme referred to in paragraph 1 including all relevant information necessary for the Commission to assess whether or not the relevant conditions are satisfied. *When assessing whether or not the relevant conditions are satisfied, special regard will be given to what additional Community measures have been taken to help the Member States meet the relevant target and limit values.*

Where the Commission has raised no objections within *six* months of receipt of *the* notification *referred to in the first subparagraph*, the relevant conditions for the application of paragraph 1, 2 *or 2a* shall be deemed to be satisfied.

If objections are raised, the Commission may require Member States to adjust or provide new plans or programmes or air pollution abatement programmes.

Amendment 31

Article 21, paragraph 1, subparagraph 1

1. Where, in given zones or agglomerations, the levels of pollutants in ambient air exceed any limit value or target value *or concentration cap*, plus any relevant margin of tolerance in each case, Member States shall ensure that plans or programmes are established for those zones and agglomerations in order to achieve the related limit or target value *or concentration cap* specified in Annexes XI and XIV.

1. Where, in given zones or agglomerations, the levels of pollutants in ambient air exceed any limit value or target value, plus any relevant margin of tolerance in each case, Member States shall ensure that plans or programmes are established for those zones and agglomerations in order to achieve the related limit or target value specified in Annexes XI and XIV.

Justification

The amendment to subparagraph 1 is necessitated by the amendment to Article 7(2).

Amendment 32
Article 21, paragraph 1, subparagraph 2

Those plans or programmes shall incorporate at least the information listed in **Section A of Annex XV and be communicated to the Commission without delay.**

Those plans or programmes shall incorporate at least the information listed in Annex XV. **They may include measures pursuant to Article 22.**

Justification

In the interests of simplification, the plans and programmes to bring about general reductions in levels of pollutants may, on a preventive basis, include measures pursuant to Article 22 to reduce peak concentrations in the short term.

Information about clean air plans and programmes is already communicated in electronic form. The expression 'without delay' is deleted because not every plan is communicated to the Commission immediately after it has been drafted. It makes more sense to gather the plans at national level initially and forward the information for each year to the Commission in a coordinated fashion. This also accords with the practice adopted hitherto. The Commission may lay down further details of the communication procedure pursuant to Article 26(2).

Amendment 33
Article 21, paragraph 1, subparagraph 2 a (new)

The plans and programmes referred to in the first subparagraph shall be drawn up with the proviso that, in the case of industrial installations within the scope of Directive 96/61/EC which apply the best available techniques as referred to in point 11 of Article 2 of that Directive, they shall not involve requirements which go beyond the application of the best available techniques. The plans and programmes shall be communicated to the Commission in an appropriate electronic form en bloc by a date to be determined pursuant to Article 26(2).

Justification

The provisions of the new subparagraph 2a correspond to the text of Article 3(3) and Recital 5 of the 4th daughter directive to the Air Quality Framework Directive (Directive 2004/107/EC relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air). Undertakings which incur substantial expenditure in applying BAT should not have additional burdens inflicted on them. There is nothing to prevent local and regional authorities from securing additional improvements in air quality by means of voluntary measures.

Amendment 34
Article 21, paragraph 3 a (new)

3a. Where Member States can demonstrate in their plans or programmes that the existing harmonisation pursuant to Article 95 is inadequate for a sufficient improvement in air quality, the Commission shall enable them to take more far-reaching measures if these Member States so request the Commission pursuant to Article 95 (4) and (5) of the Treaty.

Justification

A Member State's internal market provisions should take account of a high level of environmental protection, including with regard to improving air quality.

Amendment 35
Article 22, paragraph 1

1. Where, in a given zone or agglomeration, there is a risk that the levels of pollutants in ambient air will exceed one or more of the limit values, ***concentration caps***, target values or alert thresholds specified in Annexes VII, XI, ***Section A of Annex XII***, and ***Annex XIV***, Member States shall, where appropriate, draw up action plans indicating the measures to be taken in the short term in order to reduce that risk and to limit the duration of such an occurrence.

However, ***where there is a risk that the alert threshold for ozone specified in Section B of Annex XII will be exceeded***, Member States shall only draw up such short-term action plans when in their opinion there is a significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance. When drawing up such a short-term action plan Member

1. Where, in a given zone or agglomeration, there is a risk that the levels of pollutants in ambient air will exceed one or more of the limit values, target values or alert thresholds specified in Annexes VII, XI, XII and XIV, Member States shall, where ***this seems*** appropriate, draw up action plans indicating the measures to be taken in the short term in order to reduce that risk and to limit the duration of such an occurrence.

However, Member States shall only draw up such short-term action plans when in their opinion there is a significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance. When drawing up such a short-term action plan Member States shall take account of Decision 2004/279/EC.

States shall take account of Decision
2004/279/EC.

Justification

It is not clear why the exceptions referred to in subparagraph 2 should apply only to ozone. The proviso that short-term action plans must be drawn up only if the measures for which they provide can make a significant contribution to the improvement of air quality under the given conditions and in the light of the principle of proportionality goes without saying.

Amendment 36
Article 22, paragraph 2

2. The short-term action plans referred to in paragraph 1 may, depending on the individual case, provide for measures to control and, where necessary, suspend activities, **including motor-vehicle traffic**, which **contribute to the** risk of the respective limit values **or concentration caps** or target value or alert threshold being exceeded. **Those action plans may also include effective measures in relation to the use of industrial plants or products.**

2. The short-term action plans referred to in paragraph 1 may, depending on the individual case, provide for measures **of proven short-term efficacy** to control and, where necessary, suspend activities which **are clearly responsible for the increased** risk of the respective limit values or target value or alert threshold being exceeded. **The second subparagraph of Article 21(1) shall apply mutatis mutandis.**

Justification

The measures included in the short-term action plans must be genuinely effective in the short term. Moreover, in the event that activities are to be suspended, the causal relation must be clear. Finally, it is arbitrary to mention only motor-vehicle traffic.

The reference to Article 21 is necessitated by another amendment. see justification for the amendment to Article 21(1).

Amendment 37
Article 22, paragraph 3

3. Member States shall make available to the public and to appropriate organisations **such as environmental organisations, consumer organisations, organisations representing the interests**

3. Member States shall make available to the public and to appropriate organisations both the results of their investigations on the feasibility and the content of specific short-term action

of sensitive population groups and other relevant health care bodies both the results of their investigations on the feasibility and the content of specific short-term action plans as well as information on the implementation of these plans.

plans as well as information on the implementation of these plans. ***Relevant organisations shall be deemed to comprise environmental organisations, consumer associations, organisations representing the interests of sensitive population groups, other relevant health care bodies and the relevant industrial federations.***

Justification

See justification for the rapporteur's amendment to Article 24(1).

Amendment 38

Article 22, paragraph 3 a (new)

3a. 12 months after the entry into force of this Directive, the Commission shall regularly publish examples of best practices for the drawing-up of short-term action plans.

Justification

Specific measures to reduce concentrations of pollutants at local and regional level should not be proposed in this directive. In the view of the rapporteur, specific proposals are not compatible with the subsidiarity principle. In view of the difficulties faced by many local and regional authorities in drawing up and implementing plans, the Commission should publish examples of best practices. These would facilitate the exchange of best practices between local authorities.

Amendment 39

Article 24, paragraph 1, introductory part

1. Member States shall ensure that the public as well as appropriate organisations such as environmental organisations, consumer organisations, organisations representing the interests of sensitive populations ***and*** other relevant health-care bodies are informed, adequately and in good time, of the following:

1. Member States shall ensure that the public as well as appropriate organisations such as environmental organisations, consumer organisations, organisations representing the interests of sensitive populations, other relevant health-care bodies ***and the relevant industrial federations*** are informed, adequately and in good time, of the following:

Justification

The measures provided for in the plans mainly relate to transport and, directly or indirectly, economic operations. It is therefore important to ensure that the relevant industrial federations are also consulted and informed.

Amendment 40 Article 24, paragraph 2

2. Member State shall make available to the public **comprehensive** annual reports for all pollutants covered by this Directive.

Those reports shall, **as a minimum**, summarise the levels exceeding limit values, **concentration caps**, target values, long-term objectives, information thresholds and alert threshold, for the relevant averaging periods. That information shall be combined with a summary assessment of the effects of those exceedences. The reports may include, where appropriate, further information and assessments on forest protection as well as information on other pollutants for which monitoring provisions are specified in this Directive, such as, inter alia, selected non-regulated ozone precursor substances as listed in Section B of Annex X.

2. Member State shall make available to the public annual reports for all pollutants covered by this Directive.

Those reports shall summarise the levels exceeding limit values, target values, long-term objectives, information thresholds and alert threshold, for the relevant averaging periods. That information shall be combined with a summary assessment of the effects of those exceedences. The reports may include, where appropriate, further information and assessments on forest protection as well as information on other pollutants for which monitoring provisions are specified in this Directive, such as, inter alia, selected non-regulated ozone precursor substances as listed in Section B of Annex X.

Justification

Reporting should be confined to essential information in order to ease the burden on local and regional authorities and Member States.

Amendment 41 Article 28

The Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties

The Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties

provided for must be effective, proportionate and dissuasive. ***The Member States shall notify those provisions to the Commission by the date specified in Article 31(1) at the latest and shall notify it without delay of any subsequent amendment affecting them.***

provided for must be effective, proportionate and dissuasive.

Justification

The notification of provisions is regulated in Article 31 of this directive. Member States should not be required to inform the Commission of their penalties for infringements of domestic provisions.

Amendment 42 Article 30

The Commission will review, within five years following the ***adoption*** of this Directive, the provisions related to PM_{2.5}. In particular the Commission 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.

The Commission will review, within five years following the ***entry into force*** of this Directive, the provisions related to PM_{2.5} ***and PM₁₀, taking account of the latest scientific knowledge.*** In particular the Commission will propose a detailed approach to establish legally binding exposure reduction obligations which take account of air quality situations and reduction potentials in the Member States.

Amendment 43 Article 30 a (new)

Article 30a

Community measures to reduce emissions at source

If the necessary Community measures to reduce emissions at source, as referred to in Annex XVIIa, have not entered into force by 1 January 2010, a Member State may be granted an increase in the limit values for PM_{2.5} and PM₁₀, until such measures have entered into force, if it shows that all the conditions for obtaining an extension set out in Article 20 are fulfilled and demonstrates what would have been the impact on the limit values

of each of the measures mentioned. The total increase granted shall not exceed a maximum of 10% of the limit value.

Amendment 44
Article 31, paragraph 1, subparagraph 1

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive **by 31 December 2007 at the latest**. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive **within 12 months of the entry into force of this Directive**. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

Justification

As the procedure will take time, it seems appropriate to set a deadline for transposition which is independent of any predetermined date.

Amendment 45
Annex V, Section A, point a, table

Text proposed by the Commission

Population of agglomeration or zone (thousands)	If concentrations exceed the upper assessment threshold	If maximum concentrations are between the upper and lower assessment thresholds
0-249	1	1
250-499	2	1
500-749	2	1
750-999	3	1
1 000-1 499	4	2
1 500-1 999	5	2

2 000-2 749	6	3
2 750-3 749	7	3
3 750-4 749	8	4
4 750-5 999	9	4
≥ 6 000	10	5

Amendments by Parliament

Population of agglomeration or zone (thousands)	If concentrations exceed the upper assessment threshold		If maximum concentrations are between the upper and lower assessment thresholds	
	<i>Pollutants other than PM_{2.5}</i>	<i>PM_{2.5}</i>	<i>Pollutants other than PM_{2.5}</i>	<i>PM_{2.5}</i>
0-249	1	<i>1</i>	1	<i>1</i>
250-499	2	<i>1</i>	1	<i>1</i>
500-749	2	<i>1</i>	1	<i>1</i>
750-999	3	<i>1</i>	1	<i>1</i>
1 000-1 499	4	<i>2</i>	2	<i>1</i>
1 500-1 999	5	<i>2</i>	2	<i>1</i>
2 000-2 749	6	<i>3</i>	3	<i>1</i>
2 750-3 749	7	<i>3</i>	3	<i>1</i>
3 750-4 749	8	<i>4</i>	4	<i>2</i>
4 750-5 999	9	<i>4</i>	4	<i>2</i>
≥ 6 000	10	<i>5</i>	5	<i>2</i>

Justification

The parallel measurement of PM_{10} and $PM_{2.5}$ will entail additional costs. However, there are several arguments in favour of reducing the number of sampling points for $PM_{2.5}$, without this necessitating the abandonment of additional health protection or comprehensive monitoring of $PM_{2.5}$: 1. The distribution of $PM_{2.5}$ in the air is more even than that of PM_{10} ; it can therefore be monitored just as effectively using fewer sampling stations. 2. There is a close correlation between PM_{10} and $PM_{2.5}$ (PM_{10} constantly comprises 65 to 70% $PM_{2.5}$). Reliable data on $PM_{2.5}$ may be obtained by means of a combination of measurements and model calculations.

The rapporteur therefore proposes reducing the number of measuring points for $PM_{2.5}$ by half (rounding off where odd numbers are involved).

Amendment 46

Annex XI, table, Section on " PM_{10} "

Text proposed by the Commission

Averaging period	Limit value	Margin of tolerance	Date by which limit value is to be met
PM₁₀			
1 day	50 µg/m ³ , not to be exceeded more than 35 times a calendar year	50 %	
Calendar year	40 µg/m ³	20 %	

Amendment by the Parliament

Averaging period	Limit value	Margin of tolerance	Date by which limit value is to be met
PM₁₀			
1 day	50 µg/m ³ , not to be exceeded more than 35 times a calendar year*	50 %	
Calendar year	40 µg/m ³	20 %	<i>until 31 December 2009</i>
<i>Calendar year</i>	<i>30 µg/m³</i>	20%	<i>1 January 2010</i>

* unless this cannot be achieved because of site-specific dispersion characteristics, adverse meteorological or geographical conditions. Member States shall lay down the exact number of days the limit value can be exceeded,

up to a maximum of 55 days, and forthwith communicate to the Commission the text of that provision.

Or. en

Amendment 47
Annex XII, Section B a (new)

Ba. INFORMATION THRESHOLD FOR PM₁₀

<i>Purpose</i>	<i>Averaging period</i>	<i>Threshold</i>
<i>Information</i>	<i>1 day</i>	<i>200 µg/m³</i>

Or. nl

Justification

As for exposure to ozone, there should also be an information threshold for particulates.

Amendment 48
Annex XIV, title

**EXPOSURE REDUCTION TARGET
AND CONCENTRATION CAP FOR
PM_{2,5}**

**EXPOSURE REDUCTION TARGET
AND TARGET VALUE AND LIMIT
VALUE FOR PM_{2,5}**

Justification

Uncertainties still exist over the concentrations of these pollutants in ambient air, so wishing to set a concentration cap immediately is premature. The term 'target value' seems more appropriate.

Amendment 49
Annex XIV, Section B

Text proposed by the Commission

Exposure Reduction Target relative to the AEI in 2010	Date by which the exposure reduction target should be met
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<i>20 percent</i>	2020
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Where the average exposure indicator expressed in $\mu\text{g}/\text{m}^3$ in the reference year is *7 $\mu\text{g}/\text{m}^3$* or less the exposure reduction target shall be zero.

Amendment by the Parliament

Exposure Reduction Target relative to the AEI in 2010		Date by which the exposure reduction target should be met
<i>Initial concentration in $\mu\text{g}/\text{m}^3$</i>	<i>Reduction target in percent</i>	2020
<i>< 10</i>	<i>0 %</i>	
<i>= 10 – <15</i>	<i>10 %</i>	
<i>= 15 – <20</i>	<i>15 %</i>	
<i>= 20 – < 25</i>	<i>20 %</i>	
<i>>25</i>	<i>All appropriate measures to achieve the target of 20 $\mu\text{g}/\text{m}^3$</i>	

Where the average exposure indicator expressed in $\mu\text{g}/\text{m}^3$ in the reference year is *10 $\mu\text{g}/\text{m}^3$* or less the exposure reduction target shall be zero.

Amendment 50
Annex XIV, Section C

Text proposed by the Commission

Averaging Period	Concentration cap	Margin of tolerance	Date by which concentration cap is to be met
Calendar year	<i>25 $\mu\text{g}/\text{m}^3$</i>	<i>20% on the entry into force of this Directive, decreasing on the next 1 January following and every 12 months thereafter by equal annual percentages to reach 0 % by 1 January 2010</i>	1 January 2010

Amendment by Parliament

Averaging Period	Target value	Margin of tolerance	Date by which target value should be met
Calendar year	<i>20 $\mu\text{g}/\text{m}^3$</i>		<i>1 January 2010</i>
Averaging Period	Limit value	Margin of tolerance	Date by which limit value is to be met
<i>Calendar year</i>	<i>20 $\mu\text{g}/\text{m}^3$</i>	<i>20% on the entry into force of this Directive, decreasing on the next 1 January following and every 12 months thereafter by equal annual percentages to reach 0 % by 1 January 2015</i>	<i>1 January 2015</i>

Amendment 51
Annex XV, Section A, point 8 (c a) (new)

(ca) listing and description of the financial resources and budget lines allocated to the implementation of the above measures or projects in the estimated time.

Justification

Member states have a track record of making commitments but failing to allocate the resources necessary to meet them.

Amendment 52
Annex XV, Section B, point 3, introductory part

3. Information on all air pollution abatement measures that have been ***considered*** for implementation in connection with the attainment of air quality objectives, including:

3. Information on all air pollution abatement measures that have been ***planned*** for implementation in connection with the attainment of air quality objectives, including:

Justification

The measures listed should not only be considered: their implementation should also be planned.

Amendment 53
Annex XVII a (new)

Measures which should be taken at source to enable Member States to attain air quality limit values within the set time limits

<i>Measures</i>
<i>Inclusion of 20 to 50 megawatt combustion plants in the IPPC Directive</i>
<i>EURO VI for heavy vehicles</i>
<i>New standards for domestic heating installations</i>
<i>New standards for emissions from ships' engines, to be negotiated under the auspices of the IMO</i>

Justification

The adoption of these measures at source is a necessary precondition for Member States to attain the air quality limit values.

EXPLANATORY STATEMENT

1. Introduction

Improving Europe's air quality is one of the most important tasks to be carried out in the field of environmental and health policy in future. The high level of air pollution, particularly in the EU's densely populated regions and conurbations, is partly responsible for numerous diseases of the airways and their consequences. Air quality in Europe has already improved substantially in recent decades thanks to strict legislation and technical progress; this applies to emissions both from transport and from power stations and industrial plants.

Improving the quality of our ambient air remains a major challenge. The problem of air pollution can only be solved in the long term and in a European framework, particularly by stepping up cross-border measures. In order for the ambitious goals to be achieved, further instruments will be needed in the Community in future: clean air in the Member States can only be achieved if the directives which are in force are transposed consistently and if new EU legislative proposals concentrate on restricting emissions at the point where they are caused (the polluter). Particular priority should be assigned to those fields which hitherto have received little consideration and hardly been regulated.

2. The Commission proposal

The Commission adopted its proposal for a directive on ambient air quality and cleaner air for Europe on 21 September 2005. It merges the existing framework directive and four other legislative instruments, including three of the four daughter directives and a Council decision. The proposed simplification reduces the volume of the existing legislation on air quality by 50%. The reporting requirements are modernised and information exchange simplified. The limit values in force are to remain unchanged by the new directive. The current annual limit value for PM₁₀ (40 µg/m³) and the daily limit value (50 µg/m³), which must not be exceeded on more than 35 days, remain unaltered. New in the Commission proposal is the introduction of the standard for PM_{2.5} with effect from 2010. In the case of PM_{2.5}, the proposal provides for both a concentration cap (equivalent to a limit value) of 25 µg/m³ and a reduction target for all Member States of 20% by 2020.

3. The rapporteur's position

Provisions concerning PM₁₀: Originally the Commission announced a reduction threshold for the annual average value for PM₁₀ after 2010, which is no longer to be found in the current proposal. The annual average of 40 µg/m³ which the Commission proposes and which, it is suggested, should remain unchanged after 2010, is not particularly ambitious. In most towns, this value is already achieved now. The rapporteur proposes reducing the limit value for PM₁₀ to 32 µg/m³ (a reduction of 20%). Moreover, the annual average of 32 µg/m³ correlates better with the strict daily average of 50 µg/m³ which is not to be exceeded on more than 35 days. This practice has hitherto caused Member States, particularly the towns and municipalities concerned, great difficulties in implementation. The Commission has recognised this problem and made it possible for municipalities to extend the deadlines for compliance with the rules by five years

and to issue exemptions from the limit values in force. Although this is to be welcomed on practical grounds, the question remains whether this is the right instrument if it proves impossible to comply with the limit values after five years.

The rapporteur proposes, in addition, and subject to certain conditions, an exemption from planning obligations for short-term measures, which is important for local authorities. Short-term action plans would accordingly have to be drawn up only if - in the light of local geographical, meteorological and economic conditions - the proposed measures had a significant potential to reduce the risk, duration or degree of an exceedance and to improve air quality.

Provisions concerning PM_{2.5}: The latest scientific findings indicate that serious health risks arise not from the larger particles but mainly from the smallest (PM_{2.5}). It is therefore necessary to start monitoring these.

The rapporteur proposes regulating PM_{2.5} in two stages. First a target value should be defined. At the second stage, which should follow five years later at most, with the review of the directive, a limit value can be set. Because there is a lack of experience of measuring PM_{2.5} and a shortage of reliable data, no limit value should be set at present. The term 'concentration cap' (which effectively means the same as 'limit value') is accordingly deleted and replaced with 'limit value' throughout the proposal.

The annual average of 25 µg/m³ which the Commission proposes for PM_{2.5} is not particularly ambitious. In many towns where the air is quite polluted, this value is already attained now. The rapporteur proposes a target value of 20 µg/m³: this takes account both of aspirations to improve the protection of health and of practicability. The value correlates with the proposed reduction of the limit value for PM₁₀ to 32 µg/m³.

In its proposal, the Commission has opted for an across-the-board reduction target of 20% for PM_{2.5} without assessing its impact in order to ascertain what practical measures and costs a 20% reduction would entail for the Member States. The rapporteur believes that a graduated model which differentiates between Member States and takes greater account of previous performance would at all events be preferable to an across-the-board reduction target. After all, the cost of reductions rises exponentially as the level of pollution falls. The across-the-board target of 20% would be particularly difficult to achieve in Member States which have already made great efforts to improve air quality and are now taking as their baseline air whose quality is relatively good. Those States where pollution is worse, on the other hand, should make bigger reductions. The Commission's model takes no account of previous achievements and punishes countries for taking action early rather than rewarding them. A graduated model would give the Member States stronger incentives to take immediate reduction measures, irrespective of their current baseline situation.

Further measures: The rapporteur proposes various systematic simplifications and linguistic clarifications which are intended to assist implementation at administrative level in particular. In addition, a definition of 'natural sources' is called for. It should be ensured that the only previous emissions from natural sources which are deducted are those which substantially exceed the average background levels already allowed for in calculating limit values or target values. In

order to prevent abuse and procedural difficulties, the Commission should publish guidelines for the consideration of evidence and the deduction of exceedances attributable to natural sources.

PROCEDURE

Title	Proposal for a directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe			
References	COM(2005)0447 – C6-0356/2005 – 2005/0183(COD)			
Date submitted to Parliament	21.9.2005			
Committee responsible Date announced in plenary	ENVI 15.11.2005			
Committee(s) asked for opinion(s) Date announced in plenary	JURI 15.11.2005	ITRE 15.11.2005		
Not delivering opinion(s) Date of decision	JURI 29.11.2005	ITRE 13.12.2005		
Enhanced cooperation Date announced in plenary				
Rapporteur(s) Date appointed	Holger Kraemer 14.12.2005			
Previous rapporteur(s)				
Simplified procedure – date of decision				
Legal basis disputed Date of JURI opinion				
Financial endowment amended Date of BUDG opinion				
European Economic and Social Committee consulted – date of decision in plenary				
Committee of the Regions consulted – date of decision in plenary				
Discussed in committee	24.4.2006			
Date adopted	21.6.2006			
Result of final vote	+	39		
	–	11		
	0	5		
Members present for the final vote	Adamos Adamou, Johannes Blokland, Frieda Brepoels, Dorette Corbey, Avril Doyle, Mojca Drčar Murko, Edite Estrela, Jill Evans, Anne Ferreira, Matthias Groote, Françoise Grossetête, Cristina Gutiérrez-Cortines, Satu Hassi, Gyula Hegyi, Mary Honeyball, Dan Jørgensen, Eija-Riitta Korhola, Holger Kraemer, Urszula Krupa, Aldis Kuškis, Peter Liese, Marios Matsakis, Roberto Musacchio, Riitta Myller, Dimitrios Papadimoulis, Vittorio Prodi, Frédérique Ries, Guido Sacconi, Richard Seeber, Kathy Sinnott, Bogusław Sonik, Antonios Trakatellis, Evangelia Tzampazi, Thomas Ulmer, Anja Weisgerber, Åsa Westlund, Anders Wijkman			
Substitute(s) present for the final vote	Alfonso Andria, Margrete Auken, María del Pilar Ayuso González, Philip Bushill-Matthews, Giuseppe Castiglione, Bairbre de Brún, Milan Gaľa, Genowefa Grabowska, Ambroise Guellec, Rebecca Harms, Erna Hennicot-Schoepges, Henrik Lax, Miroslav Mikolášik, Ria Oomen-Ruijten, Justas Vincas Paleckis, Amalia Sartori, Andres Tarand			

Substitute(s) under Rule 178(2) present for the final vote	Sepp Kusstatscher
Date tabled	29.6.2006
Comments (available in one language only)	...