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*Committee on the Environment, Public Health and Food Safety*

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**2013/0443(COD)**

7.5.2015

# **AMENDMENTS 52 – 188 (Part I)**

**Draft report**  
**Julie Girling**  
(PE551.932v01)

Reduction of national emissions of certain atmospheric pollutants and  
amending Directive 2003/35/EC

Proposal for a directive  
(COM(2013)0920 – C7-0004/2014 – 2013/0443(COD))

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**EN**

*United in diversity*

**EN**

AM\_Com\_LegReport

## Amendment 52

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a directive

#### Recital 1

##### *Text proposed by the Commission*

(1) Significant progress has been achieved in the past 20 years in the Union in the field of anthropogenic air emissions and air quality **by a dedicated Union policy, including the 2005 Communication from the Commission "Thematic Strategy on Air Pollution" ("TSAP")<sup>15</sup>**. Directive 2001/81/EC of the European Parliament and of the Council<sup>16</sup> has **been instrumental in this progress** by setting caps on Member States' total annual emissions for 2010 onwards of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), ammonia (NH<sub>3</sub>) and volatile organic compounds other than methane (NMVOC). As a result, SO<sub>2</sub> emissions were reduced by 82%, NO<sub>x</sub> emissions by 47%, NMVOC emissions by 56% and NH<sub>3</sub> emissions by 28% between 1990 and 2010. However, as indicated in the "Clean Air Programme for Europe" ("revised TSAP")<sup>17</sup>, significant adverse impacts and risks remain on the environment and human health.

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<sup>15</sup>Communication of 21 September 2005 from the Commission to the Council and the European Parliament "Thematic Strategy on Air Pollution", COM(2005) 446 final.

<sup>16</sup>Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).

<sup>17</sup>Communication from the Commission to the Council and the European Parliament "A Clean Air Programme for Europe",

##### *Amendment*

(1) Significant progress has been achieved in the past 20 years in the Union in the field of anthropogenic air emissions and air quality **through the efforts of the Member States and economic operators**. Directive 2001/81/EC of the European Parliament and of the Council<sup>16</sup> has **also played a role** by setting caps on Member States' total annual emissions for 2010 onwards of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), ammonia (NH<sub>3</sub>) and volatile organic compounds other than methane (NMVOC). As a result, SO<sub>2</sub> emissions were reduced by 82%, NO<sub>x</sub> emissions by 47%, NMVOC emissions by 56% and NH<sub>3</sub> emissions by 28% between 1990 and 2010. However, as indicated in the "Clean Air Programme for Europe" ("revised TSAP")<sup>17</sup>, significant adverse impacts and risks remain on the environment and human health.

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<sup>15</sup>Communication of 21 September 2005 from the Commission to the Council and the European Parliament "Thematic Strategy on Air Pollution", COM(2005) 446 final.

<sup>16</sup>Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).

<sup>17</sup>Communication from the Commission to the Council and the European Parliament "A Clean Air Programme for Europe",

**Amendment 53**  
**Aldo Patriciello**

**Proposal for a directive**  
**Recital 1**

*Text proposed by the Commission*

(1) Significant progress has been achieved in the past 20 years in the Union in the field of anthropogenic air emissions and air quality by a dedicated Union policy, including the 2005 Communication from the Commission "Thematic Strategy on Air Pollution" ("TSAP")<sup>15</sup>. Directive 2001/81/EC of the European Parliament and of the Council<sup>16</sup> has been instrumental in this progress by setting caps on Member States' total annual emissions for 2010 onwards of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), ammonia (NH<sub>3</sub>) and volatile organic compounds other than methane (NMVOC). As a result, SO<sub>2</sub> emissions were reduced by 82%, NO<sub>x</sub> emissions by 47%, NMVOC emissions by 56% and NH<sub>3</sub> emissions by 28% between 1990 and 2010. However, as indicated in the "Clean Air Programme for Europe" ("revised TSAP")<sup>17</sup>, significant adverse impacts and risks remain on the environment and human health.

*Amendment*

*(Does not affect English version)*

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<sup>15</sup>Communication of 21 September 2005 from the Commission to the Council and the European Parliament "Thematic Strategy on Air Pollution", COM(2005) 446 final.

<sup>16</sup>Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L

309, 27.11.2001, p. 22).

<sup>17</sup>Communication from the Commission to the Council and the European Parliament "A Clean Air Programme for Europe", COM(2013) [xxx] .

Or. it

## Amendment 54

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a directive

#### Recital 1

##### *Text proposed by the Commission*

(1) Significant progress has been achieved in the past 20 years in the Union in the field of anthropogenic air emissions and air quality by a dedicated Union policy, including the 2005 Communication from the Commission "Thematic Strategy on Air Pollution" ("TSAP")<sup>15</sup>. Directive 2001/81/EC of the European Parliament and of the Council<sup>16</sup> has been instrumental in this progress by setting caps on Member States' total annual emissions for 2010 onwards of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), ammonia (NH<sub>3</sub>) and volatile organic compounds other than methane (NMVOC). As a result, SO<sub>2</sub> emissions were reduced by 82%, NO<sub>x</sub> emissions by 47%, NMVOC emissions by 56% and NH<sub>3</sub> emissions by 28% between 1990 and 2010. However, as indicated in the "Clean Air Programme for Europe" ("revised TSAP")<sup>17</sup>, significant adverse impacts and risks remain on *the environment and* human health.

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<sup>15</sup>Communication of 21 September 2005 from the Commission to the Council and the European Parliament "Thematic Strategy on Air Pollution", COM(2005)

##### *Amendment*

(1) Significant progress has been achieved in the past 20 years in the Union in the field of anthropogenic air emissions and air quality by a dedicated Union policy, including the 2005 Communication from the Commission "Thematic Strategy on Air Pollution" ("TSAP")<sup>15</sup>. Directive 2001/81/EC of the European Parliament and of the Council<sup>16</sup> has been instrumental in this progress by setting caps on Member States' total annual emissions for 2010 onwards of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), ammonia (NH<sub>3</sub>) and volatile organic compounds other than methane (NMVOC). As a result, SO<sub>2</sub> emissions were reduced by 82%, NO<sub>x</sub> emissions by 47%, NMVOC emissions by 56% and NH<sub>3</sub> emissions by 28% between 1990 and 2010. However, as indicated in the "Clean Air Programme for Europe" ("revised TSAP")<sup>17</sup>, significant adverse impacts and risks remain on human health *and the environment*.

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<sup>15</sup>Communication of 21 September 2005 from the Commission to the Council and the European Parliament "Thematic Strategy on Air Pollution", COM(2005)

446 final.

<sup>16</sup>Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).

<sup>17</sup>Communication from the Commission to the Council and the European Parliament "A Clean Air Programme for Europe", COM(2013) [xxx] .

446 final.

<sup>16</sup>Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).

<sup>17</sup>Communication from the Commission to the Council and the European Parliament "A Clean Air Programme for Europe", COM(2013) [xxx] .

Or. fr

## **Amendment 55** **Elisabeth Köstinger**

### **Proposal for a directive** **Recital 2**

#### *Text proposed by the Commission*

(2) The seventh Environment Action Programme<sup>18</sup> confirms the Union's long-term objective for air policy, to achieve levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment, and calls, to that end, for full compliance with the current air quality legislation of the Union, post-2020 strategic targets and actions, enhanced efforts in areas where the population and ecosystems are exposed to high levels of air pollutants, and reinforced synergies between air quality legislation and Union's policy objectives set for climate change and biodiversity in particular.

#### *Amendment*

(2) The seventh Environment Action Programme<sup>18</sup> confirms the Union's long-term objective for air policy, to achieve levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment, and calls, to that end, for full compliance with the current air quality legislation of the Union, post-2020 strategic targets and actions, enhanced efforts in areas where the population and ecosystems are exposed to high levels of air pollutants, and reinforced synergies between air quality legislation and Union's policy objectives set for climate change and biodiversity in particular. ***The new Common Agricultural Policy for the 2014-2020 period offers the possibility for Member States to contribute to air quality with specific measures. Future evaluation will provide a better understanding of the effects of these measures.***

<sup>18</sup> Proposal for a Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’, COM (2012) 710, 29.11.2012.

<sup>18</sup> Proposal for a Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’, COM (2012) 710, 29.11.2012.

Or. en

**Amendment 56**  
**Elisabeth Köstinger**

**Proposal for a directive**  
**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) When implementing this directive Member States should keep in mind the multiple objectives of the agriculture sector, its limited mitigation potential and the need to ensure coherence between the EU's food security and climate change objectives.***

Or. en

*Justification*

*The Council's political agreement from October 2014 on the 2030 Climate and Energy Framework acknowledges the objectives for the agriculture and land use sector and calls on the Commission to examine the best means to encourage the sustainable intensification of food production, while optimising the sector's contribution to GHG mitigation and sequestration.*

**Amendment 57**  
**Catherine Bearder, Fredrick Federley**

**Proposal for a directive**  
**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) The EU and Member States are***

*parties to the 2013 Minamata Convention on Mercury, which seeks to improve human health and environmental protection through the reduction of mercury emissions from existing and new sources.*

Or. en

*Justification*

*As signatories to the Minamata Convention, the EU and Member states should ensure that the NEC directive contributes to the reduction of mercury emissions, which have serious detrimental effects on human health.*

**Amendment 58**

**Seb Dance, Nicola Caputo, Paul Brannen, Jo Leinen, Jytte Guteland, Guillaume Balas**

**Proposal for a directive**

**Recital 6**

*Text proposed by the Commission*

(6) The national emission ceiling regime established by Directive 2001/81/EC should therefore be revised in order to ***align it with the international commitments of the Union and the Member States.***

*Amendment*

(6) ***Taking account of emission reduction projections based on a current legislation scenario***, the national emission ceiling regime established by Directive 2001/81/EC should therefore be revised in order to ***go beyond the emission reduction commitments as set out in the Gothenburg Protocol and aim to achieve the health and environmental objectives as set out in the Union's 7th Environmental Action Programme.***

Or. en

*Justification*

*The emission reduction commitments as set out in the Gothenburg Protocol are too weak and, in many cases, the current legislation scenario would significantly over-achieve the ceilings without additional measures for emission controls. In order to achieve a linear reduction of emissions up to 2030, emission reduction commitments for 2020 should be replaced by baseline numbers available in the European Parliament's Impact Assessment whenever these*



*numbers are more ambitious than those established in the Gothenburg Protocol.*

**Amendment 59**  
**Aldo Patriciello**

**Proposal for a directive**  
**Recital 6**

*Text proposed by the Commission*

(6) The national emission ceiling regime established by Directive 2001/81/EC should therefore be revised in order to align it with the international commitments of the Union and the Member States.

*Amendment*

*(Does not affect English version)*

Or. it

**Amendment 60**  
**Aldo Patriciello**

**Proposal for a directive**  
**Recital 7**

*Text proposed by the Commission*

(7) Member States should implement this Directive in a way that contributes *effectively* to the meeting of the Union's long-term objective on air quality as supported by the guidelines of the World Health Organisation and of the Union's biodiversity and ecosystem protection objectives by reducing the levels and deposition of acidifying, eutrophifying and ozone air pollution below critical loads and levels as set out by the LRTAP Convention.

*Amendment*

(7) Member States should implement this Directive in a way that contributes *appropriately* to the meeting of the Union's long-term objective on air quality as supported by the guidelines of the World Health Organisation and of the Union's biodiversity and ecosystem protection objectives by reducing the levels and deposition of acidifying, eutrophifying and ozone air pollution below critical loads and levels as set out by the LRTAP Convention.

Or. it

**Amendment 61**  
**Jadwiga Wiśniewska**

**Proposal for a directive**  
**Recital 8**

*Text proposed by the Commission*

(8) This Directive should also contribute to the achievement of the air quality objectives set in Union legislation and to the mitigation of climate change impacts by reducing emissions of short-lived climate pollutants as well as to the improvement of air quality globally.

*Amendment*

(8) This Directive should also contribute to the achievement, ***in a cost-effective manner***, of the air quality objectives set in Union legislation and to the mitigation of climate change impacts by reducing emissions of short-lived climate pollutants as well as to the improvement of air quality globally.

Or. pl

**Amendment 62**  
**Aldo Patriciello**

**Proposal for a directive**  
**Recital 8**

*Text proposed by the Commission*

(8) This Directive should also contribute to the achievement of the air quality objectives set in Union legislation and to the mitigation of climate change impacts by reducing emissions of short-lived climate pollutants ***as well as*** to the improvement of air quality globally.

*Amendment*

(8) This Directive should also contribute to the achievement of the air quality objectives set in Union legislation and to the mitigation of climate change impacts by reducing emissions of short-lived climate pollutants ***in addition*** to the improvement of air quality globally.

Or. it

**Amendment 63**  
**Bas Eickhout, Piernicola Pedicini, Younous Omarjee, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive**  
**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***(8a) This Directive should contribute to the reduction of mercury emissions in the EU as required by the 2005 Community Strategy on Mercury and the Minamata Convention on Mercury to which Member States and the Union are parties.***

Or. en

**Amendment 64**

**Seb Dance, Nicola Caputo, Paul Brannen, Jo Leinen, Matthias Groote, Jytte Guteland, Guillaume Balas, Pavel Poc**

**Proposal for a directive  
Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***(8a) This Directive should contribute to the reduction of mercury emissions in the EU as required by the Community Strategy on Mercury and the Minamata Convention on Mercury to which Member States and the EU are parties.***

Or. en

*Justification*

*Mercury is a highly toxic metal, in particular when it turns into methyl mercury (MeHg). Exposure to MeHg can seriously affect the nervous system and harm immune and reproductive systems.*

**Amendment 65**

**Catherine Bearder, Fredrick Federley, José Inácio Faria**

**Proposal for a directive  
Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***(8a) In order to reduce emissions from maritime transport, full and timely implementation of limits set within the International Maritime Organisation as well as strict enforcement of the EU Sulphur Directive must be ensured. Further action to control shipping emissions is also needed. The EU and Member States should consider defining new Emission Control Areas and should continue to work within the IMO to further reduce the emissions.***

Or. en

**Amendment 66**  
**Annie Schreijer-Pierik**

**Proposal for a directive**  
**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***(8a) Permanent and temporary grasslands throughout the European Union - which are maintained by the efforts of the farming community and their grazing livestock - play an important role in the mitigation of climate change, given the fact that grasslands are major factors of carbon sequestration.<sup>1 a</sup>***

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***<sup>1 a</sup> 1 a Cf. Conant, R.T. (2010). Challenges and opportunities for carbon sequestration in grassland systems. A technical report on grassland management and climate change mitigation. Integrated Crop Management, 10, 20ff. (A technical report prepared for the Plant Production and Protection Division of the Food and Agriculture Organization of the United Nations***

**(FAO.)**

Or. en

*Justification*

*Grass-covered areas of the European Union are a key factor in combatting climate change, as they constitute the major category of "carbon sinks" on the Union territory. Grasslands serve to the needs of ruminants and their (enteric) methane emissions. Given the climate change benefits and the ecological value of grasslands, the inclusion of methane in the proposal is counterproductive.*

**Amendment 67**

**Nicola Caputo, Seb Dance**

**Proposal for a directive**

**Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***(8a) This directive should also contribute to the reduction of the health-related costs of air pollution for the European Union by improving European citizens' quality of life as well as to favour the transition to a green economy.***

Or. en

**Amendment 68**

**Annie Schreijer-Pierik**

**Proposal for a directive**

**Recital 8 b (new)**

*Text proposed by the Commission*

*Amendment*

***(8b) European farmers and farmlands contribute to the achievement of environmental and air quality objectives to a large extent. Farmers should be remunerated accordingly within the CAP for both their current as well as their***

*future efforts in this regard.*

Or. en

*Justification*

*The contribution of agriculture in achieving environmental and air quality objectives should be duly acknowledged and remunerated.*

**Amendment 69**

**Bas Eickhout, Piernicola Pedicini, Younous Omarjee, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive**

**Recital 9**

*Text proposed by the Commission*

*(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030. So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.*

*Amendment*

*(9) In order to limit the atmospheric emissions of air pollutants and to effectively contribute to the Union objective of achieving air quality that does not give rise to significant negative impacts on and risks to health, and to reducing the levels deposition of acidifying and eutrophying pollutants below critical loads and levels, binding national emission reduction commitments are set in this Directive for 2020, 2025 and 2030.*

Or. en

**Amendment 70**

**Seb Dance, Nicola Caputo, Paul Brannen, Jo Leinen, Matthias Groote, Jytte Guteland**

**Proposal for a directive**

**Recital 9**

*Text proposed by the Commission*

(9) Member States **should** comply with the emission reduction commitments set out in this Directive for 2020 **and 2030**. ***So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.***

*Amendment*

(9) Member States **shall** comply with the emission reduction commitments set out in this Directive for 2020, ***2025 and 2030***.

Or. en

*Justification*

*National emissions reduction commitments should be binding for 2025 to ensure a linear reduction of emissions between 2020 and 2030 and avoid prohibitive costs for Member States towards the end of the commitment period.*

**Amendment 71**

**Catherine Bearder, Fredrick Federley, José Inácio Faria**

**Proposal for a directive**

**Recital 9**

*Text proposed by the Commission*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 **and 2030**. ***So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the***

*Amendment*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020, ***2025 and 2030***.

***2025 emissions cannot be so limited,  
Member States should explain the reasons  
in their reports under this Directive.***

Or. en

*Justification*

*National emission reductions for 2025 targets should be binding, so to assist with compliance with the 2030 targets. Additionally Member States' compliance by 2025 will ensure that there are additional health and environmental benefits as a result of the pollutants reductions.*

**Amendment 72  
Sirpa Pietikäinen**

**Proposal for a directive  
Recital 9**

*Text proposed by the Commission*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 **and 2030. So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.**

*Amendment*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020, **2025 and 2030.**

Or. en

**Amendment 73  
Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger**

**Proposal for a directive  
Recital 9**



*Text proposed by the Commission*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030. ***So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.***

*Amendment*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030.

Or. de

*Justification*

*The emission reduction targets apply for 2020 and 2030. Member States should be able to achieve their reduction targets for 2030 in the manner which is most cost-effective for them. Intermediate emission targets for 2025 are not necessary in this context.*

**Amendment 74**  
**Kateřina Konečná**

**Proposal for a directive**  
**Recital 9**

*Text proposed by the Commission*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030. ***So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the***

*Amendment*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030.

*2025 emissions cannot be so limited,  
Member States should explain the reasons  
in their reports under this Directive.*

Or. en

**Amendment 75**  
**Ulrike Müller**

**Proposal for a directive**  
**Recital 9**

*Text proposed by the Commission*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030. ***So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.***

*Amendment*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030.

Or. de

*Justification*

*Intermediate targets between the implementation of the Gothenburg Protocol and the operational reduction targets for 2030 which have yet to be set are not required.*

**Amendment 76**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a directive**  
**Recital 9**

*Text proposed by the Commission*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030. So as to ensure demonstrable progress towards the 2030 commitments, Member States should **meet** intermediate emission levels **in 2025**, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.

*Amendment*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030. So as to ensure demonstrable progress towards the 2030 commitments, Member States should, **by 2025 and in line with their specific national provisions and their capacities, move towards** intermediate emission levels set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.

Or. fr

**Amendment 77**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a directive**

**Recital 9**

*Text proposed by the Commission*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030. So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.

*Amendment*

(9) Member States should comply with the emission reduction commitments set out in this Directive for 2020 and 2030. So as to ensure demonstrable progress towards the 2030 commitments, Member States should meet intermediate emission levels in 2025, set on the basis of a linear trajectory between their emission levels for 2020 and those defined by the emission reduction commitments for 2030, unless this would entail disproportionate costs **for Member States and economic operators**. Where the 2025 emissions cannot be so limited, Member States should explain the reasons in their reports under this Directive.

**Amendment 78**

**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger, Norbert Lins**

**Proposal for a directive**

**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9a) Between 1990 and 2010, NH<sub>3</sub> emissions in the Union were reduced by 27.9%<sup>1a</sup>. When setting new emission commitments, measures taken previously by the Member States should be duly recognised. NH<sub>3</sub> emissions of agricultural origin are subject to biological processes and can therefore only be minimised, but not completely eliminated.***

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***<sup>1a</sup> See Eurostat (2013). Agriculture, forestry and fishery statistics. Luxembourg: Publications Office of the European Union, p. 119.***

*Justification*

*The agricultural sector has already taken measures in this connection. Future air quality policy should take into account reductions already achieved by agriculture.*

**Amendment 79**

**Jan Huitema**

**Proposal for a directive**

**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9a) Since 1990 ammonia emissions in the EU have been reduced by almost 30 %<sup>20a</sup>. When determining emission ceilings for***

*NH3, previous efforts made by Member States to reduce NH3 in the agricultural sector should therefore be acknowledged. Trade-offs with animal welfare should also be taken into account.*

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<sup>20a</sup> *See Eurostat leaflet about Agriculture, forestry and fishery statistics from 2013, p. 115 - 121.*

Or. en

**Amendment 80**  
**Angélique Delahaye, Michel Dantin**

**Proposal for a directive**  
**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

*(9a) National methane and ammonia emission reduction commitments for 2030 should take into account the specific nature of the agricultural sector and its low mitigation potential.*

Or. fr

**Amendment 81**  
**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger, Norbert Lins**

**Proposal for a directive**  
**Recital 9 b (new)**

*Text proposed by the Commission*

*Amendment*

*(9b) In order to ensure the same market conditions in the EU, reductions in atmospheric NH3 emissions as a result of various measures should be taken into account in the national clean air programmes. These include Directives 91/676 / EEC<sup>1 a</sup>, and a 92/438 / EEC<sup>1 b</sup>.*

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*<sup>1 a</sup> Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991)*

*<sup>1 b</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 59, 8.3.1996)*

Or. de

*Justification*

*This amendment takes into account existing Directives in order to point to synergy effects for the environment.*

**Amendment 82**  
**Jan Huitema**

**Proposal for a directive**  
**Recital 9 b (new)**

*Text proposed by the Commission*

*Amendment*

*(9b) In order to ensure a European level playing field, reductions of atmospheric NH<sub>3</sub> which have been achieved by different EU policy measures such as the Nitrates Directive (91/676/EEC) and the implementation of national policies to reduce the deposition of ammonia in Natura 2000 areas, concerning the Birds and habitat Directive (92/43/EEC), should be taken into account in the context of the national control programmes set out in this Directive.*

Or. en

**Amendment 83**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a directive**

**Recital 10**

*Text proposed by the Commission*

(10) Some Member States opted under the LRTAP Convention for setting emission ceilings based on fuel used regarding the transport sector. This has resulted in a lack of coherence with their overall energy consumption and statistics as well as those of the Union as a whole. Accordingly, in order to guarantee a common and coherent basis for all Member States and the Union as a whole, this Directive sets out reporting requirements and emission reduction commitments based on national energy consumption and fuel sold, ***which ensures further coherence with Union climate change and energy legislation.***

*Amendment*

(10) Some Member States opted under the LRTAP Convention for setting emission ceilings based on fuel used regarding the transport sector. This has resulted in a lack of coherence with their overall energy consumption and statistics as well as those of the Union as a whole. Accordingly, in order to guarantee a common and coherent basis for all Member States and the Union as a whole, this Directive sets out reporting requirements and emission reduction commitments based on national energy consumption and fuel sold.

Or. fr

**Amendment 84**

**Seb Dance, Nicola Caputo, Paul Brannen, Jytte Guteland**

**Proposal for a directive**

**Recital 11**

*Text proposed by the Commission*

***(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council.<sup>21</sup>***

*Amendment*

*deleted*

*Member States should also have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.<sup>22</sup> For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.*

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<sup>21</sup> *Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).*

<sup>22</sup> *Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).*

Or. en

#### *Justification*

*The proposed flexibility mechanism for maritime emissions is overly complex and should be deleted as not all Member States are in a position to benefit from this flexibility and, in addition, could undermine the expected health benefits of the Commission's proposal.*

**Amendment 85**  
**Catherine Bearder, Fredrick Federley**



**Proposal for a directive**  
**Recital 11**

*Text proposed by the Commission*

(11) In order to promote cost-effective achievement of the national emission reduction commitments **and of the intermediate emission levels**, Member States **should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council.**<sup>21</sup> **Member States should also** have the possibility to jointly meet their commitments **and intermediate emission** levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.<sup>22</sup> **For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions.** The Commission could object to the use of **any of these flexibilities** by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup> Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup> Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction

*Amendment*

(11) In order to promote cost-effective achievement of the national emission reduction commitments, Member States have the possibility to jointly meet their commitments levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.<sup>22</sup> The Commission could object to the use of **this flexibility** by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup> Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup> Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction

commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

**Amendment 86**  
**Sirpa Pietikäinen**

**Proposal for a directive**  
**Recital 11**

*Text proposed by the Commission*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should ***be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council.***<sup>21</sup> ***Member States should also*** have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.<sup>22</sup> ***For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.***

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<sup>21</sup> Council Directive 1999/32/EC of 26

*Amendment*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.<sup>22</sup>

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<sup>21</sup> Council Directive 1999/32/EC of 26

April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup> Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup> Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

## **Amendment 87**

**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger, Norbert Lins**

### **Proposal for a directive**

#### **Recital 11**

##### *Text proposed by the Commission*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council<sup>21</sup>.

***Member States should also have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council<sup>22</sup> for so doing. For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission***

##### *Amendment*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council<sup>21</sup>. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

*levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions.* The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

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<sup>22</sup>*Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).*

<sup>21</sup>Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

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<sup>21</sup>Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

Or. de

#### *Justification*

*Methane is covered in the climate regime by Effort Sharing and ETS. Inclusion in the scope of the NEC Directive would lead to a duplication of regulation, which should be avoided in view of efforts to achieve 'Better Regulation' and the 'Regulatory Fitness of SMEs'.*

**Amendment 88**  
**Jadwiga Wiśniewska**

**Proposal for a directive**  
**Recital 11**

*Text proposed by the Commission*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for

*Amendment*

(11) In order to promote cost-effective achievement of the national emission reduction commitments, and of the intermediate emission levels, Member States should be entitled to account for

emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council<sup>21</sup>. ***Member States should also have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council<sup>22</sup> for so doing.*** For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup>Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup>Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council<sup>21</sup>. For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup>Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup>Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. pl

**Amendment 89**  
**Ulrike Müller**

**Proposal for a directive**  
**Recital 11**

*Text proposed by the Commission*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council<sup>21</sup>. ***Member States should also have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council<sup>22</sup> for so doing.*** For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup>Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup>***Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction***

*Amendment*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council<sup>21</sup>. For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup>Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

*commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).*

Or. de

*Justification*

*Methane is a greenhouse gas, emissions of which are already covered by the Effort Sharing Decision (Decision 406/2009/EC) as part of the EU climate and energy package. The inclusion of methane reduction commitments in the NEC Directive would lead to excessive regulation.*

**Amendment 90**  
**Kateřina Konečná**

**Proposal for a directive**  
**Recital 11**

*Text proposed by the Commission*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council.<sup>21</sup> Member States should also have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.<sup>22</sup> For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and

*Amendment*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council.<sup>21</sup> Member States should also have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.<sup>22</sup> For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and

methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

methodologies regarding emissions. ***Member States could average their national annual emissions for a given year, the year preceding that year and the year following it, provided that this average does not exceed their commitment, for unforeseen weather or economic conditions affecting their power supply.*** The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup> Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

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<sup>21</sup> Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup> Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

<sup>22</sup> Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

## **Amendment 91**

### **Jan Huitema**

#### **Proposal for a directive**

#### **Recital 11**

##### *Text proposed by the Commission*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of

##### *Amendment*

(11) In order to promote cost-effective achievement of the national emission reduction commitments and of the intermediate emission levels, Member States should be entitled to account for emission reductions from international maritime traffic if emissions from that sector are lower than the levels of



emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council.<sup>21</sup> ***Member States should also have the possibility to jointly meet their commitments and intermediate emission levels regarding methane (CH<sub>4</sub>) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.***<sup>22</sup> For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup> Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup> Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

emissions that would result from compliance with Union law standards, including the sulphur limits for fuels set in Directive 1999/32/EC of the Council.<sup>21</sup> For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and intermediate emission levels, Member States could adjust their national emission inventories in view of improved scientific understanding and methodologies regarding emissions. The Commission could object to the use of any of these flexibilities by a Member State, should the conditions set out in this Directive not be met.

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<sup>21</sup> Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC (OJ L 121, 11.5.1999, p. 13).

<sup>22</sup> Decision n°406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

### *Justification*

*The inclusion of methane reduction commitments in the NEC directive limits the flexibility offered in the Effort Sharing Decision (Decision 406/2009/EC) to reduce greenhouse gas emissions, and causes overregulation, taking into account that methane is a greenhouse gas of which emissions are already covered by Decision 406/2009/EC in the framework of European climate and energy policy. Furthermore, measures to further reduce the emission of*

*methane would have an effect on animal welfare.*

**Amendment 92**

**Jens Gieseke, Peter Jahr**

**Proposal for a directive**

**Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) In order to monitor compliance with their national emission ceilings and their emission reduction commitments, Member States may amend their national emissions inventories by using improved, emission-related scientific findings and methods. If Member States fail to achieve their reduction targets in a given year due to unforeseen conditions, they should have the option instead to specify a three-year average of the respective year and the previous two years, where this average does not exceed their reduction target.***

Or. de

*Justification*

*This flexibility instrument corresponds to the approach of the Gothenburg Protocol.*

**Amendment 93**

**Seb Dance, Nicola Caputo, Paul Brannen, Jo Leinen, Jytte Guteland**

**Proposal for a directive**

**Recital 12**

*Text proposed by the Commission*

*Amendment*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements and ***intermediate emission levels, and*** to contributing effectively to the achievement

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements and to contributing effectively to the achievement of the Union air quality objectives. To this

of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council.<sup>23</sup>

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

effect, Member States should, *in consultation with the relevant local or regional authority*, take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council.<sup>23</sup>

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

Or. en

#### *Justification*

*Emission reduction commitments for 2025 should be binding. Member States should also consult with the competent local or regional authority when drawing up their NAPCPs.*

#### **Amendment 94**

**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger**

#### **Proposal for a directive**

#### **Recital 12**

##### *Text proposed by the Commission*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements *and intermediate emission levels*, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account

##### *Amendment*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones

of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council<sup>23</sup>.

and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council<sup>23</sup>.

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<sup>23</sup>Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

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<sup>23</sup>Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

Or. de

### *Justification*

*Member States should be able to achieve their reduction targets for 2030 in different ways. To this end they should be granted the flexibility to pursue the most cost-effective way for them.*

## **Amendment 95** **Catherine Bearder, Fredrick Federley**

### **Proposal for a directive** **Recital 12**

#### *Text proposed by the Commission*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements and ***intermediate emission levels, and*** to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those

#### *Amendment*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution

that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council.<sup>23</sup>

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council.<sup>23</sup>

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

Or. en

## **Amendment 96** **Kateřina Konečná**

### **Proposal for a directive** **Recital 12**

#### *Text proposed by the Commission*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements *and intermediate emission levels*, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council.<sup>23</sup>

#### *Amendment*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council.<sup>23</sup>

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

Or. en

## **Amendment 97**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

### **Proposal for a directive Recital 12**

#### *Text proposed by the Commission*

(12) Member States should adopt and implement a national air pollution control programme with a view to *meeting* their emission reduction requirements and intermediate emission levels, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council<sup>23</sup>.

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

#### *Amendment*

(12) Member States should adopt and implement a national air pollution control programme with a view to *moving towards* their emission reduction requirements and intermediate emission levels, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council<sup>23</sup>.

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

Or. fr

**Amendment 98**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a directive**

**Recital 12**

*Text proposed by the Commission*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements and intermediate emission levels, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by *excessive* air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council<sup>23</sup>.

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<sup>23</sup>Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

*Amendment*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements and intermediate emission levels, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by *high* air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council<sup>23</sup>.

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<sup>23</sup>Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

Or. fr

**Amendment 99**

**Ivo Belet, Tom Vandenkendelaere**

**Proposal for a directive**

**Recital 12**

*Text proposed by the Commission*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements and intermediate emission levels, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and/or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council.<sup>23</sup>

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

*Amendment*

(12) Member States should adopt and implement a national air pollution control programme with a view to meeting their emission reduction requirements and intermediate emission levels, and to contributing effectively to the achievement of the Union air quality objectives. To this effect, Member States should take account of the need to reduce emissions in zones and agglomerations affected by excessive air pollutant concentrations and *in particular nearby schools, day-cares, retirement homes, hospitals and* or in those that contribute significantly to air pollution in other zones and agglomerations, including in neighbouring countries. National air pollution control programmes should, to that end, contribute to the successful implementation of air quality plans enacted under Article 23 of Directive 2008/50/EC of the European Parliament and of the Council.<sup>23</sup>

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<sup>23</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air in Europe (OJ L 152, 11.6.2008, p. 1).

Or. en

**Amendment 100**

**Bas Eickhout, Piernicola Pedicini, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive  
Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) Environmental inspections and market surveillance are needed in order to ensure the effectiveness of this Directive and of measures adopted pursuant to the***



*achievement of its objectives. Member States should ensure that sufficient resources are available to carry out inspections and market surveillance effectively.*

Or. en

**Amendment 101**

**Seb Dance, Nicola Caputo, Paul Brannen, Jo Leinen, Pavel Poc**

**Proposal for a directive**

**Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

*(12a) In the event of failure to comply with the emission reduction commitments set out in this Directive for 2020, 2025 and 2030, Member States shall not pass on the burden of compliance to authorities which do not have the strategic capabilities and powers to comply.*

Or. en

*Justification*

*In such a case where a Member State is in breach of its obligations under the NECD, it is important to protect local authorities, many of which are operating under restricted budgets, from being burdened with fines as a result of an infringement procedure.*

**Amendment 102**

**Ulrike Müller**

**Proposal for a directive**

**Recital 13**

*Text proposed by the Commission*

*Amendment*

(13) In order to reduce atmospheric NH<sub>3</sub> and PM<sub>2,5</sub> emissions from the main

(13) In order to reduce atmospheric NH<sub>3</sub> and PM<sub>2,5</sub> emissions from the main

contributors, national air pollution control programmes should include measures applicable to the agricultural sector. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

contributors, national air pollution control programmes should include *cost-effective* measures applicable to the agricultural sector. *Some of these measures involve substantial additional costs that cannot be borne by small and medium-sized agricultural holdings. Agricultural holdings that do not fall within the scope of Directive 2010/75 / EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions may be exempted.* Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

*Improvements in air quality without compromising the future of agricultural holdings can be achieved only through proportionate measures. The efforts of the agricultural sector in the further development of livestock farming methods should not be thwarted by the requirements regarding reductions in emissions of air pollutants. The national air pollution control programmes must allow a fair balance between politically and socially desirable forms of livestock farming and emission protection.*

Or. de

#### *Justification*

*In agriculture, conflicts of objectives exist between the various policy areas. The preservation of rural structures in land management must not be compromised by setting unfeasible targets. By linking this to the industrial emissions directive, improved legislation is achieved.*

**Amendment 103**  
**Jan Huitema**

**Proposal for a directive**  
**Recital 13**

*Text proposed by the Commission*

(13) In order to reduce atmospheric NH<sub>3</sub> and PM<sub>2,5</sub> emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

*Amendment*

(13) In order to reduce atmospheric NH<sub>3</sub> and PM<sub>2,5</sub> emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. ***These measures should be based on specific information and data, taking account of scientific progress and previous measures undertaken by Member States, and should be cost-effective.*** Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

Or. en

**Amendment 104**  
**Elisabeth Köstinger**

**Proposal for a directive**  
**Recital 13**

*Text proposed by the Commission*

(13) In order to reduce atmospheric NH<sub>3</sub> and PM<sub>2,5</sub> emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

*Amendment*

(13) In order to reduce atmospheric NH<sub>3</sub> and PM<sub>2,5</sub> emissions from the main contributors, national air pollution control programmes should include ***cost-effective*** measures applicable to the agricultural sector. ***Investments for emissions reduction in agriculture have long-term implications that differ in respect to farm sizes. This needs to be taken into account accordingly, in order to successfully foster the uptake of mitigation measures.*** Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances. ***Improvements in air quality can be***

*achieved only through proportionate measures without jeopardizing the future of agricultural holdings. The efforts of the agricultural sector in developing animal husbandry procedures must not be undermined by the commitments to reduce emissions of air pollutants. The national air pollution control programs should provide a balance between politically and socially desirable animal husbandry and pollution control.*

Or. en

**Amendment 105**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a directive**

**Recital 13**

*Text proposed by the Commission*

(13) In order to reduce atmospheric ***NH3 and PM2,5*** emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

*Amendment*

(13) In order to reduce atmospheric emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector, ***without compromising animal welfare***. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

Or. fr

**Amendment 106**

**Seb Dance, Nicola Caputo, Paul Brannen, Jytte Guteland, Guillaume Balas, Pavel Poc**

**Proposal for a directive**

**Recital 13**

*Text proposed by the Commission*

(13) In order to reduce atmospheric ***NH<sub>3</sub>*** and ***PM<sub>2,5</sub>*** emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

*Amendment*

(13) In order to reduce atmospheric ***NH<sub>3</sub>***, ***CH<sub>4</sub>*** and ***PM<sub>2,5</sub>*** emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

Or. en

*Justification*

*Measures to reduce methane should be promoted at national level in order to reduce ground level ozone caused by methane and other pollutants. Several of those measures could be developed with the financial support of the EU Rural Development Programs and some measures can even be implemented at zero cost (e.g. biogas systems generate possible additional sources of income through electricity sales).*

**Amendment 107**

**Bas Eickhout, Piernicola Pedicini, Martin Häusling, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive**  
**Recital 13**

*Text proposed by the Commission*

(13) In order to reduce atmospheric ***NH<sub>3</sub>*** and ***PM<sub>2,5</sub>*** emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

*Amendment*

(13) In order to reduce atmospheric ***NH<sub>3</sub>***, ***CH<sub>4</sub>*** and ***PM<sub>2,5</sub>*** emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.

Or. en

**Amendment 108**

**Bas Eickhout, Piernicola Pedicini, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive**

**Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

***(13a) In order to reduce emissions from the main contributors, national air pollution control programmes should include measures applicable to the all relevant sectors, including agriculture, industry, road transport, non-road mobile machinery, inland and domestic shipping, domestic heating and solvents. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owing to specific national circumstances.***

Or. en

**Amendment 109**

**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger, Norbert Lins**

**Proposal for a directive**

**Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

***(13a) Regulatory duplication through Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources must be avoided in the national transposition of this Directive. Directive 91/676 / EC already includes very comprehensive and detailed rules on increasing fertilizer efficiency, on the storage and application of fertilisers and thus avoiding nitrogen losses that have indirect positive effects on***

*air quality.*

Or. de

*Justification*

*The Nitrates Directive already provides for far-reaching provisions for the avoidance of nitrogen losses. This fact should be taken into account in the NEC Directive, in order to avoid regulatory duplication.*

**Amendment 110**

**Ulrike Müller**

**Proposal for a directive**

**Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

***(13a) Regulatory duplication through Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources must be avoided in the national transposition of this Directive. Directive 91/676 / EC already includes very comprehensive and detailed rules on increasing fertilizer efficiency, on the storage and application of fertilisers and thus avoiding nitrogen losses that have indirect positive effects on air quality.***

Or. de

*Justification*

*While the Nitrates Directive already provides for very far-reaching provisions for the avoidance of nitrogen losses, this is ignored in the Commission proposal on the NEC Directive and provision is made for the creation of new action programmes. For the purposes of reducing bureaucracy, it is important to avoid regulatory duplication.*

**Amendment 111**

**Jens Gieseke, Peter Jahr**

**Proposal for a directive**  
**Recital 13 b (new)**

*Text proposed by the Commission*

*Amendment*

***(13b) The air pollution control programmes should not provide for any measures for the industrial sector that go beyond the best available techniques (BAT) set by Directive 2010/75 / EU of the European Parliament and of the Council<sup>1 a</sup>.***

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***<sup>1 a</sup> Directive 2010/75 / EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334/17, 17.12.2010)***

Or. de

*Justification*

*Industry should not be forced to take action to reduce emissions from their plants going beyond the best available techniques enshrined in the industry Directive. This is especially true for measures that cannot be implemented cost-effectively.*

**Amendment 112**

**Seb Dance, Paul Brannen, Nicola Caputo, Jo Leinen, Jytte Guteland, Pavel Poc, Guillaume Balas**

**Proposal for a directive**  
**Recital 14 a (new)**

*Text proposed by the Commission*

*Amendment*

***(14a) In order to improve air quality, particularly in urban areas, national air pollution control programmes should include measures to reduce emissions of nitrogen oxides and particulate matter in urban areas.***

Or. en



## *Justification*

*In addition to the introduction of technical solutions at EU level (e.g. euro standards), Member States should draw up, adopt and implement non-technical measures which can significantly reduce vehicle air pollution and improve people's health and environment.*

### **Amendment 113**

**Ulrike Müller**

#### **Proposal for a directive**

#### **Recital 15**

##### *Text proposed by the Commission*

(15) In order to draw up well informed national air pollution control programmes and any significant updates, Member States should make those programmes and updates subject to consultation by the public and competent authorities at all levels when all options regarding policies and measures remain open. Member States should engage in transboundary consultations in case where the implementation of their programme could affect air quality in another country, in accordance with the requirements set out in Union and international legislation, including the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003)<sup>24</sup>, as approved by the Council.

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<sup>24</sup>Council Decision 2008/871/EC of 20 October 2008 on the approval, on behalf of the European Community, of the Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context (OJ L 308, 19.11.2008, p. 33).

##### *Amendment*

(15) In order to draw up well informed national air pollution control programmes and any significant updates ***on the basis of reproducible measurements and findings***, Member States should make those programmes and updates subject to consultation by the public and competent authorities at all levels when all options regarding policies and measures remain open. Member States should engage in transboundary consultations in case where the implementation of their programme could affect air quality in another country, in accordance with the requirements set out in Union and international legislation, including the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003)<sup>24</sup>, as approved by the Council.

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<sup>24</sup>Council Decision 2008/871/EC of 20 October 2008 on the approval, on behalf of the European Community, of the Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context (OJ L 308, 19.11.2008, p. 33).

**Amendment 114**  
**Jens Gieseke, Peter Jahr**

**Proposal for a directive**  
**Recital 15**

*Text proposed by the Commission*

(15) In order to draw up well informed national air pollution control programmes and any significant updates, Member States should make those programmes and updates subject to consultation by the public and competent authorities at all levels when all options regarding policies and measures remain open. Member States should engage in transboundary consultations in case where the implementation of their programme could affect air quality in another country, in accordance with the requirements set out in Union and international legislation, including the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003)<sup>24</sup>, as approved by the Council.

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<sup>24</sup>Council Decision 2008/871/EC of 20 October 2008 on the approval, on behalf of the European Community, of the Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context (OJ L 308, 19.11.2008, p. 33).

*Amendment*

(15) In order to draw up well informed **and scientifically based** national air pollution control programmes and any significant updates, Member States should make those programmes and updates subject to consultation by the public and competent authorities at all levels when all options regarding policies and measures remain open. Member States should engage in transboundary consultations in case where the implementation of their programme could affect air quality in another country, in accordance with the requirements set out in Union and international legislation, including the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003)<sup>24</sup>, as approved by the Council.

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<sup>24</sup>Council Decision 2008/871/EC of 20 October 2008 on the approval, on behalf of the European Community, of the Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context (OJ L 308, 19.11.2008, p. 33).

**Amendment 115**

**Seb Dance, Paul Brannen, Jo Leinen, Nicola Caputo, Matthias Groote, Jytte Guteland, Guillaume Balas**

**Proposal for a directive**

**Recital 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***(15a) In accordance with the Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters and the case law of the Court of Justice, the public should be given wide access to justice in order to ensure the effective implementation and enforcement of this Directive and contribute to the protection of the right to live in an environment which is adequate for personal health and well-being.***

Or. en

**Amendment 116**

**Seb Dance, Paul Brannen, Jo Leinen, Nicola Caputo, Matthias Groote, Pavel Poc**

**Proposal for a directive**

**Recital 15 b (new)**

*Text proposed by the Commission*

*Amendment*

***(15b) Environmental inspections and market surveillance are needed in order to ensure the effectiveness of this Directive and of measures adopted pursuant to the achievement of its objectives.***

Or. en

*Justification*

*The failure of the Euro standards for diesel vehicles to deliver expected NOx reductions has shown that technical measures are not always effective under real operating conditions. This amendment would ensure that similar problems were identified by Member States and*

*corrective measures taken in order to ensure compliance with emission reduction commitments. It would also put pressure on manufacturers to ensure vehicles and equipment perform under real operating conditions.*

**Amendment 117**

**Seb Dance, Paul Brannen, Jo Leinen, Nicola Caputo, Matthias Groote, Jytte Guteland**

**Proposal for a directive**

**Recital 15 c (new)**

*Text proposed by the Commission*

*Amendment*

***(15c) When assessing the synergies between EU air quality policy and climate and energy policy the Commission shall take account of the European Parliament's Complementary Impact Assessment on interactions between EU air quality policy and climate and energy policy to this end.***

Or. en

**Amendment 118**

**Annie Schreijer-Pierik**

**Proposal for a directive**

**Recital 16**

*Text proposed by the Commission*

*Amendment*

(16) Member States should establish and report emission inventories, projections and informative inventory reports for all air pollutants covered by this Directive, which ***should then*** enable the Union to meet its reporting duties under the LRTAP Convention and its Protocols.

(16) Member States should establish and report emission inventories, projections and informative inventory reports for all air pollutants covered by this Directive, which ***must subsequently*** enable the Union to meet its reporting duties under the LRTAP Convention and its Protocols.

Or. en

*Justification*

*The inventories, projections and inventory reports established must certainly enable the Union to meet its reporting duties under the LRTAP Convention and its Protocols.*

**Amendment 119**

**Piernicola Pedicini, Marco Affronte, Eleonora Evi, Bas Eickhout, Dario Tamburrano**

**Proposal for a directive**

**Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***(20a) In accordance with the Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters and the case law of the European Court of Justice, the public should be given wide access to justice in order to ensure the effective implementation and enforcement of this Directive and to contribute to the protection of the right to live in an environment which is adequate for human health and well-being.***

Or. en

**Amendment 120**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a directive**

**Recital 21**

*Text proposed by the Commission*

*Amendment*

***(21) In order to take into account technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the reporting guidelines set out in Annex I,***

***(21) Acts which concern the amending of the reporting guidelines set out in Annex I, as well as Part 1 of Annex III and Annexes IV and V to adapt them to technical progress, should be submitted to the European Parliament and to the Council.***

as well as Part 1 of Annex III and Annexes IV and V to adapt them to technical progress. *It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents* to the European Parliament and to the Council.

Or. fr

**Amendment 121**  
**Ulrike Müller**

**Proposal for a directive**  
**Recital 21**

*Text proposed by the Commission*

(21) In order to take into account technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the reporting guidelines set out in Annex I, as well as Part 1 of Annex III and Annexes IV and V to adapt them to technical progress. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

*Amendment*

(21) In order to take into account technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the reporting guidelines set out in Annex I, as well as Part 1 of Annex III and Annexes IV and V to adapt them to technical progress. It is of particular importance that the Commission carry out appropriate consultations *with the interest groups concerned* during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Or. de

**Amendment 122**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a directive**

**Recital 22**

*Text proposed by the Commission*

*Amendment*

**(22) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>27</sup>.**

**deleted**

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<sup>27</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. fr

**Amendment 123**

**Jens Gieseke, Peter Jahr**

**Proposal for a directive**

**Recital 22 a (new)**

*Text proposed by the Commission*

*Amendment*

**(22a) Under the provisions of this Directive, Member States should meet the emission reduction commitments laid down in Annex II of this Directive. However, Member States should be able to decide how they meet these commitments in the most cost-effective manner. The measures set out in Annex III of this Directive should therefore be**

*regarded as guidelines.*

Or. de

**Amendment 124**  
**Aldo Patriciello**

**Proposal for a directive**  
**Recital 23**

*Text proposed by the Commission*

(23) Member States should lay down rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and ensure that they are implemented. Those penalties should be effective, proportionate and dissuasive.

*Amendment*

*(Does not affect English version)*

Or. it

**Amendment 125**  
**Ivan Jakovčić**

**Proposal for a directive**  
**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26a) calls the candidate and the potential candidate countries to, as much as they can, align their national regulations with this Directive.*

Or. en

**Amendment 126**  
**Annie Schreijer-Pierik**

**Proposal for a directive**  
**Article 1 – paragraph 1**



*Text proposed by the Commission*

This Directive establishes the limits for the Member States' atmospheric emissions of acidifying and eutrophying pollutants, ozone precursors, primary particulate matter and precursors of secondary particulate matter and other air pollutants and requires that national air pollution control programmes be drawn up, adopted and implemented and pollutant emissions and their impacts be monitored and reported.

*Amendment*

This Directive establishes the limits for the Member States' atmospheric emissions of acidifying and eutrophying pollutants, ***certain*** ozone precursors, primary particulate matter and precursors of secondary particulate matter and other air pollutants and requires that national air pollution control programmes be drawn up, adopted and implemented and pollutant emissions and their impacts be monitored and reported.

Or. en

*Justification*

*Not all ozone precursors should be addressed by this proposal or the Directive 2003/35/EC currently in force. Methane should not be included.*

**Amendment 127**

**Bas Eickhout, Piernicola Pedicini, Martin Häusling, Marco Affronte, Eleonora Evi, Dario Tamburrano, Younous Omarjee**

**Proposal for a directive**

**Article 1 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***This Directive aims at limiting atmospheric emissions of acidifying and eutrophying pollutants, ozone precursors, primary particulate matter and precursors of secondary particulate matter and other air pollutants, thereby contributing to:***

***(a) the Union's long-term objective of achieving levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment, in line with guidelines of the World Health Organisation;***

***(b) the achievement of EU biodiversity and ecosystem objectives by reducing the***

*levels and deposition of acidifying and eutrophying pollutants, and other pollutants, including ground-level ozone, below critical loads and levels;*

*(c) the achievement of the air quality objectives set in Union legislation;*

*(d) the mitigation of climate change impacts by reducing emissions of short-lived climate pollutants;*

*(e) the improvement of air quality globally.*

Or. en

**Amendment 128**  
**Kateřina Konečná**

**Proposal for a directive**  
**Article 2 – paragraph 1**

*Text proposed by the Commission*

This Directive shall apply to emissions of the pollutants referred to in Annex I from all sources occurring in the territory of the Member States, their exclusive economic zones and pollution control zones.

*Amendment*

This Directive shall apply to emissions of the pollutants referred to in Annex I from all **anthropogenic** sources occurring in the territory of the Member States, their exclusive economic zones and pollution control zones.

Or. en

*Justification*

*The scope must be accurate and consistent with other articles such as article 4.*

**Amendment 129**  
**Nils Torvalds**

**Proposal for a directive**  
**Article 2 – paragraph 1**

*Text proposed by the Commission*

This Directive shall apply to emissions of the pollutants referred to in Annex I from all sources occurring in the territory of the Member States, their exclusive economic zones and pollution control zones.

*Amendment*

This Directive shall apply to emissions of the pollutants referred to in Annex I from all **anthropogenic** sources occurring in the territory of the Member States, their exclusive economic zones and pollution control zones.

Or. en

*Justification*

*The scope must be accurate and consistent with other articles such as article 4.*

**Amendment 130**

**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger, Norbert Lins**

**Proposal for a directive**

**Article 3 – paragraph 1 – point 2**

*Text proposed by the Commission*

2. "ozone precursors" **mean** nitrogen oxides, non-methane volatile organic compounds, **methane, and carbon monoxide**;

*Amendment*

2. "ozone precursors" **means** nitrogen oxides **and** non-methane volatile organic compounds;

Or. de

*Justification*

*Emission reduction targets for methane should not be included in the NEC Directive. For this reason, methane, as well as carbon monoxide, which is not included in the proposal for a Directive, should be deleted from this paragraph.*

**Amendment 131**

**György Hölvényi, Dubravka Šuica**

**Proposal for a directive**

**Article 3 – paragraph 1 – point 2**

*Text proposed by the Commission*

2. 'ozone precursors' mean nitrogen oxides, non-methane volatile organic compounds, **methane**, and carbon monoxide;

*Amendment*

2. 'ozone precursors' mean nitrogen oxides, non-methane volatile organic compounds and carbon monoxide;

Or. en

*Justification*

*The inclusion of methane reduction commitments in the NEC directive limits the flexibility offered in the Effort Sharing Decision (Decision 406/2009/EC) to reduce greenhouse gas emissions, and causes overregulation, taking into account that methane is a greenhouse gas of which emissions are already covered by Decision 406/2009/EC in the framework of European climate and energy policy. Furthermore, measures to further reduce the emission of methane would have an effect on animal welfare.*

**Amendment 132**

**Jadwiga Wiśniewska**

**Proposal for a directive**

**Article 3 – paragraph 1 – point 2**

*Text proposed by the Commission*

2. "ozone precursors" mean nitrogen oxides, non-methane volatile organic compounds, **methane**, and carbon monoxide;

*Amendment*

2. "ozone precursors" mean nitrogen oxides, non-methane volatile organic compounds and carbon monoxide;

Or. pl

**Amendment 133**

**Aldo Patriciello**

**Proposal for a directive**

**Article 3 – paragraph 1 – point 5**

*Text proposed by the Commission*

5. "non-methane volatile organic compounds" (NMVOC) means all organic

*Amendment*

5. "non-methane volatile organic compounds" (NMVOC) means, **unless**

compounds of an anthropogenic nature, other than methane, that are capable of producing photochemical oxidants by reaction with nitrogen oxides in the presence of sunlight;

*otherwise specified*, all organic compounds of an anthropogenic nature, other than methane, that are capable of producing photochemical oxidants by reaction with nitrogen oxides in the presence of sunlight;

Or. it

#### **Amendment 134**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a directive**

#### **Article 3 – paragraph 1 – point 7**

##### *Text proposed by the Commission*

7. "national emission reduction commitment" means the reduction in emissions of a substance expressed as a percentage of emission reduction between the total of emissions released during the base year (2005) and the total of emissions released during a target calendar year that Member States must *not exceed*;

##### *Amendment*

7. "national emission reduction commitment" means the reduction in emissions of a substance expressed as a percentage of emission reduction between the total of emissions released during the base year (2005) and the total of emissions released during a target calendar year *towards which* Member States must *move*;

Or. fr

#### **Amendment 135**

**Catherine Bearder, Fredrick Federley**

#### **Proposal for a directive**

#### **Article 3 – paragraph 1 – point 9**

##### *Text proposed by the Commission*

9. *'international maritime traffic' means journeys at sea and in coastal waters by water-borne vessels of all flags, save fishing vessels, that depart from the territory of one country and arrive in the territory of another country;*

##### *Amendment*

*deleted*

Or. en

**Amendment 136**  
**Annie Schreijer-Pierik**

**Proposal for a directive**  
**Article 3 – paragraph 1 – point 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***12a. 'EU source-based air pollution policies' means Regulations or Directives which, irrespectively from the obligations set out in those Directives or Regulations, have as a goal, whether partially or not, to reduce the emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), non-methane volatile organic compounds (NMVOC), ammonia (NH<sub>3</sub>) and particulate matter (PM<sub>2,5</sub>), by undertaking mitigation measures at the source, including at least, but not limited to the reductions of emissions accomplished by:***

- Regulation 94/63;***
- Regulation 97/68;***
- Regulation 98/70;***
- Regulation 1999/32;***
- Regulation 2009/126;***
- Regulation 2004/42;***
- Regulation 2007/46/EG, including Directive 15/2007, Directive 79/2009, Directive 595/2009 and Directive 661/2009***
- Regulation 2010/75***
- Directive 167/2013;***
- Directive 168/2013;***
- Regulation 2014/94;***

Or. en

## *Justification*

*In the context of Better Regulation ambitions of the new Commission, 'EU source-based air pollution policies' are added to the Directive. Air Quality policy should henceforth take into account and evaluate the implementation of EU source-based air pollution policies in order to prevent overlap, enhance synergy and understand success or failure on the part of certain Member States.*

### **Amendment 137** **Kateřina Konečná**

#### **Proposal for a directive** **Article 3 – paragraph 1 – point 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***12a. 13. "best available techniques" means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing the basis for emission limit values and other permit conditions designed to prevent and, where that is not practicable, to reduce emissions and the impact on the environment as a whole:***

***(a) 'techniques' includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned;***

***(b) 'available techniques' means those developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the operator;***

***(c) 'best' means most effective in achieving a high general level of protection of the environment as a whole;***

**Amendment 138**

**Piernicola Pedicini, Marco Affronte, Eleonora Evi, Bas Eickhout, Dario Tamburrano**

**Proposal for a directive**

**Article 3 – paragraph 1 – point 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***12a. "the public concerned" means the public affected or likely to be affected by, or having an interest in, emissions of air pollution into the atmosphere; for the purposes of this definition, non-governmental organisations promoting environmental protection, consumer organisations, organisations representing the interests of vulnerable populations and other relevant health-care bodies meeting requirements under national law shall be deemed to have an interest.***

Or. en

*Justification*

*See new Article 12 on Access to Justice. This definition is needed to ensure that member states gives wide access to justice in a manner consistent with the Aarhus Convention and the case law of the Court of Justice of the EU.*

**Amendment 139**

**György Hölvényi, Dubravka Šuica**

**Proposal for a directive**

**Article 4 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>),

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>)



particulate matter (PM<sub>2,5</sub>) **and methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 **and 2030, as laid down** in Annex II.

**and** particulate matter (PM<sub>2,5</sub>) in accordance with the national emission reduction commitments applicable from 2020, **as laid down in Annex II and take all the necessary measures not entailing disproportionate costs to limit their 2030 anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>) and particulate matter (PM<sub>2,5</sub>) in accordance with indicative reduction targets** in Annex II .

Or. en

### *Justification*

*The inclusion of methane reduction commitments in the NEC directive limits the flexibility offered in the Effort Sharing Decision (Decision 406/2009/EC) to reduce greenhouse gas emissions, and causes overregulation. Moreover, there is a great uncertainty in the pollutant emission forecasts of certain sectors and activities. Therefore, the reduction potential may not be determined with proper accuracy. Also, the indicated values place too high burden on the agricultural sector.*

### **Amendment 140** **Andrzej Grzyb**

#### **Proposal for a directive** **Article 4 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (**SO<sub>2</sub>**), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (**NH<sub>3</sub>**), particulate matter (**PM<sub>2,5</sub>**) **and methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 **and 2030**, as laid down in Annex II.

##### *Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (**SO<sub>2</sub>**), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (**NH<sub>3</sub>**) **and** particulate matter (**PM<sub>2,5</sub>**) in accordance with the national emission reduction commitments applicable from 2020 **to 2029**, as laid down in Annex II.

Or. en

**Amendment 141**  
**Angélique Delahaye, Michel Dantin**

**Proposal for a directive**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) **and methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

*Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>) **and** particulate matter (PM<sub>2,5</sub>) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II, **and for methane (CH<sub>4</sub>) an impact assessment should be carried out before a national emission reduction commitment is determined.**

Or. fr

*Justification*

*As the introduction of a reduction target for methane is something new, a prior impact assessment should be carried out.*

**Amendment 142**  
**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger, Norbert Lins, Herbert Dorfmann**

**Proposal for a directive**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) **and methane (CH<sub>4</sub>)** in accordance with the national

*Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>) **and** particulate matter (PM<sub>2,5</sub>) in accordance with the national emission

emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

Or. de

*Justification*

*Methane is covered in the climate regime by Effort Sharing and the ETS. Inclusion in the scope of the NEC Directive would lead to a duplication of regulation, which should be avoided in view of efforts to achieve 'Better Regulation' and the 'Regulatory Fitness of SMEs'.*

**Amendment 143**  
**Jan Huitema**

**Proposal for a directive**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) **and methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

*Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>) **and** particulate matter (PM<sub>2,5</sub>) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

Or. en

**Amendment 144**  
**Ulrike Müller**

**Proposal for a directive**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum,

*Amendment*

1. Member States shall, as a minimum,

limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) **and methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>) **and** particulate matter (PM<sub>2,5</sub>) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

Or. de

#### *Justification*

*It is unacceptable that the Commission should wish to lay down duplicate regulation for methane in parallel with climate policy in the form of a national ceiling. In order to avoid regulatory duplication and the relocation of production, methane must be removed from the NEC Directive.*

#### **Amendment 145** **Jadwiga Wiśniewska**

#### **Proposal for a directive** **Article 4 – paragraph 1**

##### *Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) **and methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

##### *Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), **and** particulate matter (PM<sub>2,5</sub>) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

Or. pl

#### **Amendment 146** **Valentinas Mazuronis**

**Proposal for a directive**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) **and methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

*Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), **and** particulate matter (PM<sub>2,5</sub>) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

Or. It

**Amendment 147**  
**Nils Torvalds**

**Proposal for a directive**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (**SO<sub>2</sub>**), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (**NH<sub>3</sub>**), particulate matter (**PM<sub>2,5</sub>**) **and methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

*Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (**SO<sub>2</sub>**), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (**NH<sub>3</sub>**) **and** particulate matter (**PM<sub>2,5</sub>**) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

Or. en

*Justification*

*Methane mitigation is already enforced through international climate commitments according to the second commitment period of the Kyoto protocol up to 2020 and the new contract is to be negotiated in Paris this year. Methane is also included in the EU ETS, and although direct obligations concern carbon dioxide and nitrous oxide, new obligations are possible. Methane mitigation commitments in this directive will thus constitute unnecessary double regulation.*

## Amendment 148

Seb Dance, Nicola Caputo, Paul Brannen, Matthias Groote, Jytte Guteland, Guillaume Balas, Pavel Poc

### Proposal for a directive

#### Article 4 – paragraph 1

##### *Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (**SO<sub>2</sub>**), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (**NH<sub>3</sub>**), particulate matter (**PM<sub>2,5</sub>**) and **methane (CH<sub>4</sub>)** in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

##### *Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (**SO<sub>2</sub>**), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (**NH<sub>3</sub>**), particulate matter (**PM<sub>2,5</sub>**), **methane (CH<sub>4</sub>)** and **mercury (Hg)** in accordance with the national emission reduction commitments applicable from 2020, **2025** and 2030, as laid down in Annex II.

Or. en

##### *Justification*

*Mercury is a highly toxic metal, in particular when it turns into methyl mercury (MeHg). Exposure to MeHg can seriously affect the nervous system and harm immune and reproductive systems.*

## Amendment 149

Bas Eickhout, Piernicola Pedicini, Younous Omarjee, Marco Affronte, Eleonora Evi, Dario Tamburrano

### Proposal for a directive

#### Article 4 – paragraph 1

##### *Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (**SO<sub>2</sub>**), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (**NH<sub>3</sub>**), particulate matter (**PM<sub>2,5</sub>**) and **methane (CH<sub>4</sub>)** in accordance with the national

##### *Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (**SO<sub>2</sub>**), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (**NH<sub>3</sub>**), particulate matter (**PM<sub>2,5</sub>**), **methane (CH<sub>4</sub>)** and **mercury (Hg)** in accordance

emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

with the national emission reduction commitments applicable from 2020, **2025** and 2030, as laid down in Annex II.

Or. en

*Justification*

*This Directive should contribute to the reduction of mercury emissions in the Union as required by the 2005 Community Strategy on Mercury and the Minamata Convention on Mercury to which Member States and the Union are parties.*

**Amendment 150**

**Catherine Bearder, Fredrick Federley, Gerben-Jan Gerbrandy**

**Proposal for a directive**

**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) **and** methane (CH<sub>4</sub>) in accordance with the national emission reduction commitments applicable from 2020 **and** 2030, as laid down in Annex II.

*Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>), methane (CH<sub>4</sub>) **and mercury (Hg)** in accordance with the national emission reduction commitments applicable from 2020, **2025 and** 2030, as laid down in Annex II.

Or. en

*Justification*

*As signatories to the Minamata Convention, the EU and Member states should ensure that the NEC directive contributes to the reduction of mercury emissions, which have a serious detrimental effect on human health. Additionally 2025 targets should be legally binding to increase the health and environmental benefits of reducing pollutants as early as possible.*

**Amendment 151**

**Sirpa Pietikäinen**

**Proposal for a directive**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) **and** methane (CH<sub>4</sub>) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

*Amendment*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>), methane (CH<sub>4</sub>) **and mercury (Hg)** in accordance with the national emission reduction commitments applicable from 2020, **2025** and 2030, as laid down in Annex II.

Or. en

**Amendment 152**  
**Aldo Patriciello**

**Proposal for a directive**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall, as a minimum, limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds other than methane (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2,5</sub>) and methane (CH<sub>4</sub>) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

*Amendment*

*(Does not affect English version)*

Or. it

**Amendment 153**  
**Andrzej Grzyb**

**Proposal for a directive**  
**Article 4 – paragraph 1 a (new)**



*Text proposed by the Commission*

*Amendment*

***1a. Emission reduction commitments for any year from 2030 are indicative.***

Or. en

*Justification*

*The inclusion of methane reduction commitments in the NEC directive should not be introduced, as it would go beyond present international commitments. This can cause overregulation, taking into account that methane is a greenhouse gas of which emissions are already covered by Decision 406/2009/EC in the framework of European climate and energy policy. Therefore, the emission reduction commitments for any year from 2030 should be indicative. There is great uncertainty in the pollutant emission forecasts of certain sectors and activities. Therefore, the reduction potential may not be determined with proper accuracy. Also, the indicated values place too high burden on the agricultural sector.*

**Amendment 154**

**Bas Eickhout, Piernicola Pedicini, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive**

**Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Member States shall take all the necessary measures to limit their 2020 anthropogenic emissions of CH<sub>4</sub>. The levels of those emissions shall be determined by a linear reduction trajectory established between their emission levels for 2005 and the emission levels defined by the emission reduction commitments for 2025.***

Or. en

**Amendment 155**

**Bas Eickhout, Piernicola Pedicini, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive**  
**Article 4 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. National emissions of SO<sub>2</sub>, NO<sub>x</sub>, VOC and NH<sub>3</sub> from 2020 onwards shall not exceed the national emission ceilings set in Directive 2001/81/EC for 2010.***

Or. en

**Amendment 156**  
**Ulrike Müller**

**Proposal for a directive**  
**Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The Commission shall, by 31 December 2016, table a new proposal for burden-sharing within the Union with revised reduction commitments for NH<sub>3</sub> for 2030 in order to reduce ammonia emissions in the Union by a total of 18% by 2030. The mechanism for the creation of this burden-sharing must meet the criteria of cost-effectiveness, proportionality and balance between Member States. With its proposal, the Commission shall ensure that a) a level playing field exists in the Union market, and b) a further harmonisation of reduction levels within the Union is achieved.***

Or. de

*Justification*

*The reduction targets for ammonia must take into account measures already taken by Member States.*

**Amendment 157**  
**Peter Jahr**

**Proposal for a directive**  
**Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. In order to reduce ammonia emissions in the European Union by 2030 by a total of 20%, the Commission shall, by 31 December 2016, submit a proposal for burden-sharing between Member States with revised national reduction commitments for ammonia for 2030 that meets the criteria of proportionality, cost-effectiveness and balance.***

Or. de

*Justification*

*The wide dispersion of the reduction targets for ammonia for individual Member States is not reasonable. There must be a fair mechanism for burden-sharing within the European Union and the significant inputs of some Member States must be taken into account.*

**Amendment 158**  
**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Norbert Lins**

**Proposal for a directive**  
**Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The Commission shall, by 31 December 2016, submit a new proposal with revised reduction commitments for NH3 for 2030. With its proposal, the Commission shall ensure that:***

- a) the same market conditions apply in the Union,***
- b) a further harmonisation of reduction***

*levels is achieved within the Union.*

Or. de

*Justification*

*The measures previously taken by Member States in reducing ammonia emissions should be taken into account. To this end, a fair mechanism for burden-sharing within the Union must be created and the reduction targets of the individual States adjusted accordingly.*

**Amendment 159**

**Bas Eickhout, Piernicola Pedicini, Younous Omarjee, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive**

**Article 4 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***2. Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.***

***deleted***

***Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.***

Or. en

*(Linked to proposed national ERCs for 2025.)*

*Justification*

*The national emission reduction commitments for 2025 should be binding and set on the basis of MTFR scenario of the Commission proposal.*

**Amendment 160**  
**Andrzej Grzyb**

**Proposal for a directive**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***2. Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.***

***deleted***

***Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.***

Or. en

*Justification*

*The provision of the paragraph is not concurring with the Annex II. The emission reduction levels for any year from period 2020-2029 are laid down in Annex II and originate from art. 4 paragraph 1, therefore setting obligatory linear reduction trajectory for 2025 path is not justified.*

**Amendment 161**  
**Ulrike Müller**

**Proposal for a directive**  
**Article 4 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.**

**deleted**

**Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.**

*Or. de(the numbering of paragraphs in the German and English versions of the Commission proposal is different; the numbering here follows the English version)*

*Justification*

*With the NEC Directive, the European Union has implemented the commitments contained in the Gothenburg Protocol. The Gothenburg Protocol is valid until 2020. Intermediate targets up to 2025 are therefore superfluous.*

**Amendment 162**

**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger, Herbert Dorfmann**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

**Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate**

**deleted**

*costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.*

Or. de(*the numbering of paragraphs in the German and English versions of the Commission proposal is different; the numbering here follows the English version*)

#### *Justification*

*The emission reduction targets apply for 2020 and 2030. Member States should be able to achieve their reduction targets for 2030 in the manner which is most cost-effective for them. Intermediate emission targets for 2025 are not necessary in this context.*

#### **Amendment 163** **Kateřina Konečn**

#### **Proposal for a directive** **Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.*

*deleted*

Or. en

**Amendment 164**  
**Sirpa Pietikäinen**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.*

*deleted*

Or. en

**Amendment 165**

**Seb Dance, Nicola Caputo, Paul Brannen, Matthias Groote, Jytte Guteland, Guillaume Balas**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.*

*deleted*

Or. en



*Justification*

*Emission reduction commitments for 2025 should be binding*

**Amendment 166**

**Nils Torvalds**

**Proposal for a directive**

**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.*

*deleted*

Or. en

*Justification*

*By this article, the year 2025 could be considered a required emission reduction commitment, cementing a linear reduction trajectory. This would in effect re-introduce a 2025 target, undermining the positive effects with the framework for climate and energy policies in 2030. It cannot be expected that cost-effective emission reductions will follow a linear path for all sectors and countries, and enforcing this could increase compliance costs to an unnecessary extent. This could also have a detrimental effect on the individual country and sector strategies for the decarbonisation objectives in 2030. The national emission reduction commitments laid down in Annex II are binding for any year from 2020 to 2029. Also the 2020 emission reduction commitments of the Gothenburg protocol continue to be binding beyond 2020. The reporting requirements for Member States are sufficient to give confidence about the delivery of 2030 commitments.*

**Amendment 167**

**Catherine Bearder, Fredrick Federley, José Inácio Faria**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.*

*deleted*

Or. en

*Justification*

*2025 national emission reduction targets should be legally binding*

**Amendment 168**  
**Elisabetta Gardini**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.*

*At the end of the period 2020-2029 the Commission will perform a technical-economic feasibility assessment on the national emission reduction commitments applicable from 2030, as laid down in Annex II, and if necessary reconsider their quantification, taking into consideration the changed scenarios and the achievement of the national emission reduction targets from year 2020 to year 2029.*

*Justification*

*The amendment is aimed at setting a specific mechanism for reconsideration of the 2030 reduction commitments, in case of deviation from the considered baseline and policy scenarios, in order to prevent excessive compliance costs or non-delivery of the environmental outcome. The 2020-2029 targets established by the European Commission are already very ambitious. Therefore, the intermediate 2025 target setting a linear reduction to 2030 would entail excessive compliance costs because it would not allow flexibility for investment decisions to reach the long-term 2030 target. Moreover the targets proposed for 2030 and beyond result very tightened. Recognizing the importance of setting long term regulatory framework, possible deviation from the initially considered scenario should be taken in due account, e.g. deriving from synergies with the climate and energy framework. Therefore a specific provision should be introduced in order to guarantee that the reduction commitments are reconsidered in case of changing assumptions.*

**Amendment 169**

**György Hölvényi, Dubravka Šuica**

**Proposal for a directive**

**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> **and CH<sub>4</sub>**. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

*Amendment*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub> **and** PM<sub>2,5</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the **indicative** emission reduction commitments for 2030.

*Justification*

*The inclusion of methane reduction commitments in the NEC directive limits the flexibility offered in the Effort Sharing Decision (Decision 406/2009/EC) to reduce greenhouse gas emissions, and causes overregulation, taking into account that methane is a greenhouse gas*

*of which emissions are already covered by Decision 406/2009/EC in the framework of European climate and energy policy. Furthermore, measures to further reduce the emission of methane would have an effect on animal welfare.*

#### **Amendment 170**

**Jan Huitema**

#### **Proposal for a directive**

#### **Article 4 – paragraph 2 – subparagraph 1**

##### *Text proposed by the Commission*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> **and CH<sub>4</sub>**. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

##### *Amendment*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub> **and PM<sub>2,5</sub>**. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

Or. en

#### **Amendment 171**

**Annie Schreijer-Pierik**

#### **Proposal for a directive**

#### **Article 4 – paragraph 2 – subparagraph 1**

##### *Text proposed by the Commission*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, **PM<sub>2,5</sub> and CH<sub>4</sub>**. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission

##### *Amendment*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub> **and PM<sub>2,5</sub>**. The levels of those emissions shall be determined on the basis of fuels sold **or fuels used** by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by

reduction commitments for 2030.

the emission reduction commitments for 2030.

Or. en

*Justification*

*For some Member States of the Union fuels sold do not constitute a reliable indication for emission levels. With the Dutch port of Rotterdam fuels sold do not provide a realistic indication for emission levels. Instead the possibility should be given to determine the emission levels based on fuels used. In the Council this possibility is granted to Austria, Belgium, Ireland, Lithuania, Luxembourg, the Netherlands and United Kingdom.*

**Amendment 172**  
**Jadwiga Wiśniewska**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> **and CH<sub>4</sub>**. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

*Amendment*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub> **and** PM<sub>2,5</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

Or. pl

**Amendment 173**  
**Peter van Dalen**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

Without prejudice to paragraph 1, Member

*Amendment*

Without prejudice to paragraph 1, Member

States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold **or fuels used**, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

Or. en

#### *Justification*

*For some Member States 'fuels sold' is not a representative indicator for the level of emissions, for instance because of their bunker ports. Instead the possibility should be given to determine the emission levels on fuels used, because this is a more realistic indicator for emission levels.*

#### **Amendment 174**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a directive**

#### **Article 4 – paragraph 2 – subparagraph 1**

##### *Text proposed by the Commission*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

##### *Amendment*

Without prejudice to paragraph 1, Member States shall take all the necessary measures not entailing disproportionate costs **for the Member States and economic operators** to limit their 2025 anthropogenic emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>. The levels of those emissions shall be determined on the basis of fuels sold, by a linear reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.

Or. fr

**Amendment 175**  
**Elisabetta Gardini**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.* **deleted**

Or. en

**Amendment 176**  
**Jens Gieseke, Annie Schreijer-Pierik, Peter Jahr, Elisabeth Köstinger**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.* **deleted**

Or. de(*the numbering of paragraphs in the German and English versions of the Commission proposal is different; the numbering here follows the English version*)

*Justification*

*The emission reduction targets apply for 2020 and 2030. Member States should be able to achieve their reduction targets for 2030 in the manner which is most cost-effective for them. Intermediate emission targets for 2025 are not necessary in this context.*

**Amendment 177**  
**Kateřina Konečná**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.* **deleted**

Or. en

**Amendment 178**  
**Sirpa Pietikäinen**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.* **deleted**

Or. en

**Amendment 179**  
**Nils Torvalds**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Where the emissions for 2025 cannot be limited in accordance with the determined* **deleted**



*trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.*

Or. en

**Amendment 180**

**Catherine Bearder, José Inácio Faria, Fredrick Federley**

**Proposal for a directive**

**Article 4 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.*

*deleted*

Or. en

*Justification*

*2025 national emission reduction targets should be legally binding*

**Amendment 181**

**Annie Schreijer-Pierik**

**Proposal for a directive**

**Article 4 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.

Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.

*Where those reasons, according to the Member States involved, consist in the*

*failure to achieve the emission reductions that are intended, or should have been achieved, by implementing the EU source-based air pollution policies, the Commission shall, within one year after the submission of the report by the Member State, present a proposal to adapt the national emission reduction commitments set out in Annex II.*

Or. en

*Justification*

*'EU source-based air pollution policies' were proposed to be added to the Directive. Air Quality policy should henceforth take into account and evaluate the implementation of EU source-based air pollution policies in order to prevent overlap, enhance synergy and understand failure on the part of certain Member States. If proven necessary, the Commission shall in case of failure present adapted reduction commitments for a member state.*

**Amendment 182**  
**Aldo Patriciello**

**Proposal for a directive**  
**Article 4 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

Where the emissions for 2025 cannot be limited in accordance with the determined trajectory, the Member States shall explain the reasons in their reports submitted to the Commission in accordance with Article 9.

*Amendment*

*(Does not affect English version)*

Or. it

**Amendment 183**  
**Herbert Dorfmann, Michel Dantin, Elisabeth Köstinger, Angélique Delahaye**

**Proposal for a directive**  
**Article 4 – paragraph 3 – point b**

*Text proposed by the Commission*

*Amendment*

(b) emissions in the Canary Islands, the French overseas departments, Madeira, **and** the Azores;

(b) emissions in the Canary Islands, the French overseas departments, Madeira ,the Azores **and disadvantaged mountain regions**;

Or. de

*(the numbering of paragraphs in the German and English versions of the Commission proposal is different; the numbering here follows the English version)*

**Amendment 184**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a directive**

**Article 4 – paragraph 3 – point b**

*Text proposed by the Commission*

*Amendment*

(b) emissions in the Canary Islands, the French overseas departments, Madeira, and the Azores;

(b) emissions in the Canary Islands, the French overseas **regions and** departments, Madeira, and the Azores;

Or. fr

**Amendment 185**

**Bas Eickhout, Piernicola Pedicini, Marco Affronte, Eleonora Evi, Dario Tamburrano**

**Proposal for a directive**

**Article 4 – paragraph 3 – point d**

*Text proposed by the Commission*

*Amendment*

(d) emissions from international maritime traffic, **without prejudice to Article 5(1)**.

(d) emissions from international maritime traffic.

Or. en

**Amendment 186**

**Herbert Dorfmann, Angélique Delahaye, Michel Dantin, Elisabeth Köstinger**

**Proposal for a directive**  
**Article 4 – paragraph 3 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) Emissions from small and micro-agricultural holdings in the livestock sector with up to 50 livestock units;***

*(the numbering of paragraphs in the German and English versions of the Commission proposal is different; the numbering here follows the English version)*

Or. de

**Amendment 187**  
**Angélique Delahaye, Michel Dantin, Herbert Dorfmann**

**Proposal for a directive**  
**Article 4 – paragraph 3 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) enteric methane emissions, which are naturally produced when rearing ruminants.***

Or. fr

**Amendment 188**  
**György Hölvényi, Dubravka Šuica**

**Proposal for a directive**  
**Article 4 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. The Commission shall, by 31 December 2021, present a proposal with revised reduction commitments for 2030 based on review of the national implementation of reduction commitments.***

Or. en

### *Justification*

*There is great uncertainty in the pollutant emission forecasts of certain sectors and activities. Therefore, the reduction potential may not be determined with proper accuracy. Also, the indicated values place too high burden on the agricultural sector. The Commission proposal sets higher reduction targets for the Member States with a lower GDP than the average emission reduction target of the EU. This poses disproportionate burden on those Member States.*