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*****II**

RECOMMENDATION FOR SECOND READING

on the Council common position for adopting a directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels
(12891/2/2004 – C6-0248/2004 – 2002/0259(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Satu Hassi

Symbols for procedures

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

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

Amendments to a legislative text

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

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the Council common position for adopting a directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels

(12891/2/2004 – C6-0248/2004 – 2002/0259(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (12891/2/2004 – C6-0248/2004),
- having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2002)0595)²,
- having regard to the amended proposal (COM(2003)0476)³,
- having regard to Article 251(2) of the EC Treaty,
- having regard to Rule 62 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Food Safety (A6-0056/2005),

1. Approves the common position as amended;
2. Instructs its President to forward its position to the Council and Commission.

Council common position	Amendments by Parliament
Amendment 1 RECITAL 4	
(4) Emissions from shipping due to the combustion of marine fuels with high sulphur content contribute to air pollution in the form of sulphur dioxide and particulate matter. <i>This damages the environment through acidification and harms</i> human health, property and cultural heritage, <i>particularly around coastal areas</i>	(4) Emissions from shipping due to the combustion of marine fuels with high sulphur content contribute to air pollution in the form of sulphur dioxide and particulate matter, <i>harming</i> human health, <i>damaging the environment, public and private</i> property and cultural heritage <i>and contributing to acidification.</i>

¹ OJ C 68 E , 18.3.2004, p. 150.

² OJ C 45 E, 25.2.2003, p. 277.

³ Not yet published in OJ.

and in ports.

Justification

There are two dimensions to the problems caused by the burning of high-sulphur fuels in ships – one is related to the long-range transboundary nature of the pollution (health impacts of secondary particles and acidification from sulphur deposition), the other to local impacts (primarily health impacts from SO₂ and primary particles). Although these problems to some extent are connected, the measures to resolve them are not necessarily the same, and consequently it is worthwhile to mention them separately. (See also Amendment 2 below.) (EP first reading Amendment 1).

Amendment 2
RECITAL 4 A (new)

(4a) Human beings and the natural environment in coastal areas and in the vicinity of ports are particularly affected by pollution from ships with high sulphur fuels. Specific measures are therefore required in this regard.

Justification

Emissions from ships give rise to high concentrations of particulates (PM₁₀ and PM_{2.5}) and SO₂ in some port and coastal areas. Consequently, specific measures (e.g. stricter limit for the sulphur content of fuels used in coastal and port areas, or shoreside electricity connection) are required to resolve the local problems. (EP first reading Amendment 4).

Amendment 3
RECITAL 5

(5) The measures in this Directive ***reducing emissions from shipping in international waters*** complement Member States' national measures to comply with emissions ceilings for atmospheric pollutants set out in Directive 2001/81/EC.

(5) The measures in this Directive complement Member States' national measures to comply with emissions ceilings for atmospheric pollutants set out in Directive 2001/81/EC.

Justification

The measures in this directive will reduce emissions from shipping not only in international waters, but also in territorial waters, port areas, and inland waters. Currently, only emissions from shipping within territorial waters (12 nautical miles) and inland waters are included

under national emissions in the NEC directive. Given the high – and increasing – level of emissions from shipping relative to land-based sources, the Commission should study how to best incorporate the rest of shipping emissions into Directive 2001/81/EC.

Amendment 4
RECITAL 5 A (new)

(5a) The modal shift from road to sea transport is an important means of reducing road transport volumes, pollution and external transport costs, and should therefore be encouraged.

Justification

To emphasise that the modal shift from road to sea shipping is a valid solution to road transport problems, and in some cases the only solution, and should therefore be encouraged.

Amendment 5
RECITAL 9 A (new)

(9a) Given the global nature of maritime shipping, every effort should be made to find international solutions. Both the Commission and the Member States should campaign more forcefully for the provisions of this Directive to be incorporated into the IMO framework. In further negotiations they should endeavour to secure within the IMO a worldwide reduction in the maximum authorised sulphur content of marine fuels. The Commission should also examine the merits of designating new Community sea areas, e.g. the Mediterranean, the North Atlantic, the sea areas to the west of France, Spain and Portugal, as SO_x Emission Control Areas in Annex VI to MARPOL.

Justification

In the shipping sector in particular it is essential to work towards internationally accepted standards. Consequently, the provisions of this directive should also serve as a negotiating mandate for the Commission and the Member States to press for the same standards to be

adopted in the global IMO framework. (EP first reading Amendment 40 modified).

Amendment 6
RECITAL 11 A (new)

(11a) This Directive should be seen as the first step in an ongoing process to reduce sulphur marine emissions, and a phased approach to further cut emissions should be actively pursued.

Accordingly, it is appropriate for such emissions to be monitored by the Commission and to be reported upon.

Justification

This amendment is designed to ensure that there is a phased move toward the reduction of sulphur emissions.

Amendment 7
ARTICLE 1, POINT 4, POINT (A) (i)
Article 4, paragraph 1 (Directive 1999/32/EC)

(i) in paragraph 1, the words “including marine gas oils” shall be deleted; ***deleted***

Justification

There is no justification for deleting the requirement for marine gas oils used within Member States’ territory.

Amendment 8
ARTICLE 1, POINT 5
Article 4 a, title (Directive 1999/32/EC)

Maximum sulphur content of marine fuels used in ***SOx Emission Control Areas and by passenger ships operating on regular services to or from Community ports***

Maximum sulphur content of marine fuels used in ***the European Community (first phase)***

Justification

(Part of EP first reading Amendment 41)

Amendment 9
ARTICLE 1, POINT 5
Article 4 a, paragraph 1 a (new) (Directive 1999/32/EC)

1a. Member States shall take all necessary measures to ensure that, from 1 January 2012, marine fuels are not used in the areas of their territorial seas and exclusive economic zones outside SO_x Emission Control Areas if the sulphur content of those fuels exceeds 1,5% by mass. This shall apply to all vessels of all flags, including vessels whose journey began outside the Community.

Justification

SO₂ and NO_x, as well as their secondary pollutants (sulphate and nitrate aerosol particles, and ground-level ozone), can be transported over long distances. Emissions from shipping account for between 20% and 30% of the concentration of secondary inorganic sulphate and nitrate particles in the air in most coastal regions and, just like SO₂ and NO_x, they have impacts on health. The Commission's explanatory memorandum shows that there is no difference in the life years lost as a result of long-term exposure between, for example, the North Sea and the northern part of the Mediterranean as a result of emissions from shipping. There are no health grounds for imposing stricter emission standards only in SECA areas, particularly as coastal areas in the South are among the most densely populated regions and the problems with PM and ozone are more acute in the southern Member States. Moreover, for economic and competitive reasons, it is logical to set emission standards for international shipping on the broadest possible European scale and not to restrict them to certain areas. As the southern sea areas have not yet been designated as SECAs, a longer time-frame is proposed for these areas. (EP first reading Amendment 41)

Amendment 10
ARTICLE 1, POINT 5
Article 4 a, paragraph 2 (Directive 1999/32/EC)

2. The application dates for paragraph 1 shall be as follows:

(a) for the Baltic Sea area referred to in regulation 14(3)(a) of MARPOL Annex VI, ...*;

(b) for the North Sea ***and any other sea areas, including ports, that the IMO subsequently designates as SO_x Emission Control Areas in accordance with***

2. The application dates for paragraph 1 shall be as follows:

(a) for the Baltic Sea area referred to in regulation 14(3)(a) of MARPOL Annex VI, ...*;

(b) for the North Sea:

**regulation 14(3)(b) of MARPOL
Annex VI:**

– 12 months after entry into force of *that designation*, or

– **,

whichever is the *later*.

* 19 May 2006 or, *if later*, 12 months after entry into force of this Directive.

** 12 months after entry into force of this Directive.

– 12 months after entry into force of *MARPOL Annex VI*, or

– **,

whichever is the *earlier*;

*(ba) for any other sea areas, including ports, that the IMO subsequently designates as SOx Emission Control Areas in accordance with regulation 14(3)(b) of MARPOL Annex VI, ... ***.*

* 19 May 2006 or 12 months after entry into force of this Directive, *whichever is the earlier*.

** 12 months after entry into force of this Directive.

*** *12 months after entry into force of that designation.*

Justification

To ensure that the North Sea SECA will enter into force within 12 months of the entry into force of the directive.

Amendment 11

ARTICLE 1, POINT 5

Article 4 a, paragraph 3 (Directive 1999/32/EC)

3. Member States shall be responsible for the enforcement of *paragraph 1* at least in respect of:

– vessels flying their flag; and

– *in the case of Member States bordering SOx Emission Control areas*, vessels of all flags while in their ports.

Member States *may* also take additional enforcement action in respect of other vessels in accordance with international maritime law.

3. Member States shall be responsible for the enforcement of *paragraphs 1 and 1a* at least in respect of:

– vessels flying their flag; and

– vessels of all flags while in their ports.

Member States *shall* also take additional enforcement action in respect of other vessels in accordance with international maritime law.

Justification

All coastal states are responsible for taking enforcement action available to them in accordance with international maritime law.

Amendment 12

ARTICLE 1, POINT 5

Article 4 a, paragraph 6 (Directive 1999/32/EC)

6. From the date referred to in paragraph 2(a), Member States shall ensure that the sulphur content of all marine fuels sold in their territory is documented by the supplier on a bunker delivery note, accompanied by a sealed sample.

6. From the date referred to in paragraph 2(a), Member States shall ensure that the sulphur content of all marine fuels sold in their territory is documented by the supplier on a bunker delivery note, ***signed by the representative of the receiving ship***, accompanied by a sealed sample.

Justification

Effective monitoring will be crucial for the implementation of the directive. The weak point in the sampling chain is the credibility of the sample. In order to ensure that the sample provided by the bunker supplier actually contains exactly the same fuel as delivered to the ship, it is crucial that a representative of the receiving ship should check the sampling. (EP first reading Amendment 16).

Amendment 13

ARTICLE 1, POINT 5

Article 4 a, paragraph 6 a (new) (Directive 1999/32/EC)

6a. Member States shall take all necessary measures to ensure that from the date referred to in paragraph 2(a), marine fuels with a sulphur content not exceeding 1,5% by mass are made available in sufficient quantities to meet demand in all Community ports.

Justification

Types of fuel conforming to this directive must be made widely available at the latest on the date of entry into force of the obligations imposed under it. Reinstates a paragraph from the Commission proposal which has been deleted in the Council CP. (EP first reading Amendment 14).

Amendment 14
ARTICLE 1, POINT 5
Article 4 a, paragraph 7 a (new) (Directive 1999/32/CE)

7a. The Commission shall ensure that all EU funding to promote modal shift to waterborne transport, including Marco Polo and Motorway of the Sea, is made conditional on the use of fuel with a sulphur content not exceeding:

- 0,5% in the Baltic and the North Sea;***
- 1,5% in other EU sea areas until 1 January 2012, and 0,5% thereafter.***

Amendment 15
ARTICLE 1, POINT 5
Article 4 a a (new) (Directive 1999/32/EC)

Article 4aa

Maximum sulphur content of marine fuels used in the European Community (second phase)

1. Member States shall take all necessary measures to ensure that from 1 January 2010 marine fuels are not used in the areas of their territorial seas, exclusive economic zones and pollution control zones falling within SOx Emission Control Areas if the sulphur content of those fuels exceeds 0,5% by mass. This shall apply to all vessels of all flags, including vessels whose journey began outside the Community.

2. Member States shall take all necessary measures to ensure that, from the date referred to in paragraph 1, marine fuels are not used in their territorial seas, exclusive economic zones and pollution control zones by passenger ships operating on regular services to or from any Community port if the sulphur content of those fuels exceeds 0,5% by

mass.

3. Member States shall be responsible for the enforcement of this requirement at least in respect of vessels flying their flags and vessels of all flags while in their ports.

Member States shall also take additional enforcement action in respect of other vessels in accordance with international maritime law.

4. Member States shall take all necessary measures to ensure that from 1 January 2014, marine fuels are not used in the areas of their territorial seas and exclusive economic zones outside SO_x Emission Control Areas if the sulphur content of those fuels exceeds 0,5% by mass. This shall apply to all vessels of all flags, including vessels whose journey began outside the Community.

5. Member States shall take all necessary measures to ensure that from the date referred to in paragraph 1, marine fuels with a sulphur content not exceeding 0,5% by mass are made available in sufficient quantities to meet demand in all Community ports.

Justification

As emissions from shipping will still contribute significantly to health and environmental problems also after the introduction of the 'first step' 1.5% sulphur limit, it is necessary to introduce a second step, with a further lowering down to 0.5%. Such reductions are needed for attaining the agreed health and environmental objectives of the EU's fifth and sixth environmental action programmes. (EP first reading Amendment 42).

Amendment 16

ARTICLE 1, POINT 5

Article 4 b, paragraph 2, point ca (new) (Directive 1999/32/EC)

(ca) to ships which connect to shoreside electricity while at berth in ports.

Justification

The Commission proposal did not include any provisions for exemptions to the port requirement. The use of low-sulphur marine gas oils in ports is a matter of high priority, and derogations/exemptions should be avoided to the largest extent possible. The use of shoreside electricity significantly reduces air and noise emissions in ports and should therefore be promoted.

Amendment 17

ARTICLE 1, POINT 5

Article 4 c, paragraph 4 (Directive 1999/32/EC)

4. As an alternative to using ***low sulphur*** marine fuels meeting the requirements of Articles 4a and 4b, Member States may allow ships to use an approved ***emission*** abatement technology, provided that these ships:

– achieve emission reductions which are at least equivalent to those which would be achieved through the limits on sulphur in fuel specified in this Directive; and

– document thoroughly that any waste streams discharged into enclosed ports, harbours and estuaries have no impact on ecosystems, based on criteria communicated by the authorities of port States to the IMO.

4. As an alternative ***or complement*** to using marine fuels meeting the requirements of Articles 4a, ***4aa*** and 4b, Member States may allow ships to use an approved abatement technology, provided that these ships:

– reduce the total emission of sulphur oxides, including both auxiliary and main propulsion engines, to 2,0g SO₂/kWh or less calculated as the total weight of sulphur dioxide emission;

- are fitted with continuous emission monitoring equipment; and

– document thoroughly that any waste streams discharged into enclosed ports, harbours and estuaries have no impact on ecosystems, based on criteria communicated by authorities of port States to the IMO.

Justification

The use of abatement technologies should be allowed not only as an alternative, but also as a

complement to using low-sulphur fuels, as this could result in additional emission reductions. In order to ensure the functioning of the technical equipment, ships using abatement technologies should be required to use continuous emissions monitoring equipment. (EP first reading Amendment 43)

Amendment 18
ARTICLE 1, POINT 6, POINT (-A) (new)
Article 6, title (Directive 1999/32/EC)

(-a) the title shall be replaced by the following:

“Monitoring and penalties”

Justification

It is necessary to change the title to reflect the content of the article. (EP first reading amendment 24).

Amendment 19
ARTICLE 1, POINT 6 (A)
Article 6, paragraph 1 a, subparagraph 1 (Directive 1999/32/EC)

Member States shall take the necessary measures to ensure that the sulphur content of marine fuels complies with the relevant provisions of Articles 4a and 4b.

Member States shall take the necessary measures to ensure that the sulphur content of marine fuels complies with the relevant provisions of Articles 4a, ***4aa*** and 4b.

Justification

(EP first reading Amendment 26 in part).

Amendment 20
ARTICLE 1, POINT 6 (A)
Article 6, paragraph 1 a, subparagraph 4 (Directive 1999/32/EC)

Member States shall also take ***reasonable*** measures, ***as appropriate***, to monitor the sulphur content of marine fuels other than those to which Articles 4a and 4b apply

Member States shall also take measures to monitor the sulphur content of marine fuels other than those to which Articles 4a, ***4aa*** and 4b apply.

Member States shall lay down the rules on effective penalties applicable to infringements of the monitoring and

sampling provisions and shall take all necessary measures to ensure that they are proportionate and implemented in a dissuasive manner.

Justification

Penalties need to be sufficiently high not to give incentives for fraudulent samples. (EP first reading Amendments 26 and 29 in part).

Amendment 21

ARTICLE 1, POINT 7

Article 7, paragraph 2 (Directive 1999/32/CE)

2. On the basis, inter alia, of:
- (a) annual reports submitted in accordance with paragraph 1;
 - (b) observed trends in air quality, acidification, fuel costs and modal shift; and
 - (c) progress in reducing emissions of sulphur oxides from ships through IMO mechanisms following Community initiatives in this regard;
 - (d) a new *cost-benefit* analysis, including direct and indirect environmental benefits, of measures contained in Article 4a(4),

the Commission shall, by 2008, submit *a report* to the European Parliament and to the Council.

The Commission may submit with its report proposals for amending this Directive, in particular as regards a second stage of sulphur limit values laid down for each fuel category and, taking account of work within the IMO, the sea areas where low sulphur marine fuels are to be used.

2. On the basis, inter alia, of:
- (a) annual reports submitted in accordance with paragraph 1;
 - (b) observed trends in air quality, acidification, fuel costs and modal shift; and
 - (c) progress in reducing emissions of sulphur oxides from ships through IMO mechanisms following Community initiatives in this regard;
 - (d) a new *cost-effectiveness* analysis, including direct and indirect environmental benefits, of measures contained in Article 4a (4) *and of possible further emission reduction measures;*
- (da) the implementation of Article 4c, the Commission shall, by 2008, submit to the European Parliament and to the Council a report and proposals for amending this Directive, in particular as regards the limit values laid down for each fuel category, the sea areas where low sulphur marine fuels are to be used, and proposals to reduce other forms of air pollution from seagoing ships, including full specifications for marine fuel along the lines of Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC.*

The Commission shall submit to the European Parliament and the Council a report on the measures taken to anchor the

provisions of this Directive in the MARPOL Convention.

¹ *OJ L 350, 28.12.1998, p. 58.*

Or. es

Justification

(EP first reading Amendment 32 in part).

Implementation of Article 4 c on "Trials and use of new abatement technologies" should be taken into account in reports and review proposals by the Commission required in Article 7.

Given the increasing importance, both in absolute and relative terms, of shipping emissions to health and environmental impacts, it is crucial that the Commission really comes up with new and additional proposals for further emission abatement measures. Moreover, given the multiple effects of, and interrelations between, different fuel quality parameters, the Commission should have as a priority to investigate and make a proposal for an EU directive setting full quality standards for marine fuels along the lines of Directive 98/70/EC.

Amendment 22

ARTICLE 1, POINT 7

Article 7, paragraph 3 a (new) (Directive 1999/32/EC)

3a. As regards possible proposals whereby ship operators or groups of ship operators using abatement technologies would be allowed to offset SO₂ emissions from modified ships against non-modified ships, such schemes shall only be permitted provided that environmental and health benefit compared to the use of low sulphur marine fuels can be clearly demonstrated.

Justification

EP first reading amendment 44 rephrased.

EXPLANATORY STATEMENT

The emissions resulting from the use of fuels containing sulphur adversely affect both human health and the environment. Sulphur and nitrogen oxides (SO₂ (i.e. sulphur dioxide) and NO_x) cause acidification, which as well as damaging the natural environment, also disintegrates buildings and cultural monuments. These oxides form secondary particulate matter (PM) in the air. When people are exposed to these emissions, the result is an increase in mortality and illnesses such as asthma, bronchitis, and heart diseases. The WHO estimates that exposure to particulate matter in outdoor air causes approximately 100 000 deaths a year in Europe and 725 000 life years are lost for the same reason. In addition, nitrogen oxides lead to the formation of ozone and eutrophication in the lower atmosphere.

Emissions from shipping account for a significant proportion of air impurities in most EU coastal areas. Sulphur dioxide emissions from land sources fell in the EU 15 by about 60% from 1990 to 2000 and will presumably drop further, by between 75% and 80%, by 2010. By contrast, SO₂ emissions from vessels sailing in European sea areas have been rising and by 2010 their volume will probably exceed 75% of emissions from land sources as a whole, including transport and energy generation.

In view of the fact that the new purity requirements for diesel oil for use in road transport entered into force on 1 January 2005, sulphur emissions from ships, per tonne and kilometre, are now 150 to 300 times those produced by lorries.

Acidification beyond a sustainable level for the natural environment is a problem above all in northern Europe. However, the decay of buildings and cultural monuments is a serious problem also extending to more southern parts of Europe. The harmful health effects of shipping emissions are likewise spread over the whole of Europe. The ozone formation in the lower atmosphere caused by nitrogen oxides poses a considerable health problem in the Mediterranean region.

Emissions from ships consequently need to be reduced substantially throughout the EU, in order to attain the goal charted in the Commission's transport policy White Paper (namely to make shipping a more sustainable mode of transport) and achieve the long-term aim laid down in the fifth and sixth environmental action programmes (whereby critical load levels and concentrations should not be exceeded and everyone should be protected effectively from the harmful health effects of air impurities).

Commission proposal

The main points of the Commission proposal are:

- a 1.5% marine fuel sulphur limit is laid down for the for the SO_x emission control areas, that is to say, the North Sea, the English Channel, and the Baltic Sea, as provided for in Annex VI to the MARPOL Convention;
- a 1.5% fuel sulphur limit is laid down for passenger vessels on regular services to or from Community ports;

- a 0.2% fuel sulphur limit is introduced for ships at berth in EU ports.

The benefits of lower emissions cannot be fully expressed in money terms. In the Commission's research, which does not allow for the gain stemming from a reduction in acidification, the annual benefits are estimated at €2.7 bn and the costs, at €1.1.

Parliament's first reading

In its first reading¹ Parliament took the view that the action proposed by the Commission was insufficient to protect human health and meet EU air quality targets.

Parliament extended the 1.5% sulphur limit to cover all EU sea areas. In addition, it incorporated a second stage in the directive, whereby the sulphur limit would be tightened up to 0.5% for SO_x emission control areas (SECAs) and passenger vessels on regular services from 2011 and for all EU sea areas from 2013. (The main changes to the Commission proposal resulting from the acceptance of Parliament's first reading amendments are summarised in the schedule at the end of this explanatory statement.)

Council position

From the point of view of human health and environmental protection, the Council common position is decidedly weaker than the position adopted by Parliament at first reading. Essentially, the common position would merely enable Annex VI to the MARPOL Convention to be put into effect. The Council has disregarded Parliament's view that, proceeding as outlined above, it is necessary to go further than the MARPOL Annex VI and implement a second stage of reform.

The rapporteur's proposal for Parliament's position at second reading

The rapporteur proposes that Parliament should basically abide by its initial position, whereby shipping emissions would be reduced by approximately 80% compared with the year 2000, whereas the Council position would serve to reduce them by no more than about 10%. For the reasons listed above and set out in more detail in the decision taken by Parliament at first reading, the latter is not enough to protect human health and the environment or achieve the EU's approved air quality targets.

The Council position would clean up emissions only in the SO_x emission control areas, in other words the North Sea, the English Channel, and the Baltic Sea. Heavy fuel oil made from crude containing less sulphur would be used in those areas. However, the sulphur content of fuel used in other EU sea areas, the Mediterranean and the North-East Atlantic, would probably be higher than before. In any event, the impact of sulphur and nitrogen oxides on cultural monuments and the harmful health effects of all shipping emissions likewise extend to the Mediterranean area and the more southern parts of Europe as a whole.

¹ On 4 June 2003.

The Commission is working out scenarios for future air quality requirements under the CAFE (Clean Air For Europe) programme. The rapporteur has asked it to gauge the impact on air quality that could be brought about by enforcing marine fuel purity requirements in accordance with the proposal.

In its proposal the Commission has estimated that the benefits would be more than double the costs. But there is also reason to suppose that the benefits could likewise exceed the costs if a 0.5% marine fuel sulphur limit were imposed in SO_x emission control areas, that is to say, the Baltic Sea, the North Sea, and the English Channel, and in other EU sea areas as well, namely the North-East Atlantic and the Mediterranean. The RAINS model, developed by the International Institute for Applied Systems Analysis (IIASA), has been used, among other things, to draw up the NEC directive and the CAFE programme. The benefits calculated using that model could be as much as seven or eight times greater than the costs. The Beicip-Franlab model puts a higher figure on the costs than the RAINS model. But even in that case the estimated benefits amount for the most part to more than double the costs.

The rapporteur maintains that it is important to make progress in the IMO, but to enable that to happen, the EU should point the way forward. Under unilateral decisions the EU has banned single-hulled tankers and ship bottom models containing organic tin compounds. The United States is also seeking to tighten up IMO agreements. It has laid down a 15 ppm (0.0015 %) sulphur limit in its territorial waters for all ships bar ocean-going vessels. In addition, together with Canada and Mexico, it is drawing up a proposal to the IMO to tighten up the fuel sulphur limit to apply in SO_x emission control areas (SECAs) by lowering it from 1.5% to 0.1%.

By incorporating a second stage into the reform, going further than Annex VI to the MARPOL Convention, the EU would create its own pressure to improve the IMO agreements.

It is important to promote the development of new and better environmental technology by creating a market for it. The rapporteur is therefore proposing several possible ways of implementing the new purity requirements. The emission reduction corresponding to the use of cleaner fuel could also be achieved by purifying ship combustion gases, on the understanding that the purification waste would have to be treated in an environmentally appropriate way. By purifying the combustion gases on board, it would be possible to remove not only sulphur oxides, but also other noxious substances, nitrogen oxides, and particulate matter. The rapporteur also proposes that the Commission be given the powers to organise trading in shipping emissions. This would provide an incentive to develop technology that would enable emissions to be reduced to even lower levels.

The rapporteur believes that vessels at berth in EU ports should be dispensed from complying with the 0.1% sulphur limit if they are connected to a fixed electrical power supply. To encourage the change to cleaner fuel or on-board emission purification, she proposes that a vessel should likewise be exempted from the fuel requirement applying to ships at berth if it always uses fuel with a sulphur content not exceeding 0.5% and the 0.5% sulphur limit has not yet entered into force in the sea area concerned. Yet this last proposal was not accepted by the committee.

SULPHUR IN MARINE FUELS

EP FIRST READING

	6 months after entry into force (1.1.2006?)	1.1.2008	1.1.2009 (31.12.2008)	1.1.2011 (31.12.2010)	1.1.2013 (31.12.2012)
SECAs	1.5 %		0.5%		
Ferries (all EU)	1.5%		0.5%		
ports and inland waterways	0.2%	0.1%			
rest of EU seas				1.5%	0.5%

COMMON POSITION

	12 months after entry into force (mid 2006)	1.1.2010
SECAs	1.5 % (North Sea May 2007)	
Ferries (all EU)	1.5%	
ports and inland waterways		0.1% (Greece derogation 2012)
rest of EU seas	-	-

RAPPORTEUR'S 2nd READING PROPOSAL

	12 months after entry into force	1.1.2008*	1.1.2010	1.1.2012	1.1.2014
SECAs (inc. North Sea)	1.5 %		0.5%		
Ferries (all EU)	1.5%		0.5%		
ports and inland waterways		0.1%*			
rest of EU seas				1.5%	0.5%

* not adopted by the committee

PROCEDURE

Title	Council common position for adopting a directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels
References	12891/2/2004 – C6-0248/2004 – 2002/0259(COD)
Legal basis	Articles 251(2) and 175(1) EC
Basis in Rules of Procedure	Rule 62
Date of Parliament's first reading – P[5]	4.6.2003 P5_TA(2003)0248
Commission proposal	COM(2002)0595 – C5-0558/2002
Amended Commission proposal	COM(2003)0476
Date receipt of common position announced in plenary	16.12.2004
Committee responsible Date announced in plenary	ENVI 16.12.2004
Rapporteur(s) Date appointed	Satu Hassi 10.1.2005
Previous rapporteur(s)	Alexander de Roo
Discussed in committee	10.1.2005 2.2.2005 15.3.2005
Date adopted	15.3.2005
Result of final vote	for: 35 against: 17 abstentions: 2
Members present for the final vote	Irena Belohorská, Johannes Blokland, John Bowis, Frederika Brepoels, Martin Callanan, Dorette Corbey, Chris Davies, Avril Doyle, Edite Estrela, Jillian Evans, Anne Ferreira, Norbert Glante, Françoise Grossetête, Cristina Gutiérrez-Cortines, Satu Hassi, Mary Honeyball, Marie Anne Isler Béguin, Caroline Jackson, Dan Jørgensen, Christa Klauf, Eija-Riitta Korhola, Holger Krahmer, Urszula Krupa, Aldis Kušķis, Henrik Lax, Marie-Noëlle Lienemann, Peter Liese, Linda McAvan, Roberto Musacchio, Riitta Myller, Péter Olajos, Dimitrios Papadimoulis, Vittorio Prodi, Frédérique Ries, Dagmar Roth-Behrendt, Guido Sacconi, Karin Scheele, Carl Schlyter, Richard Seeber, Kathy Sinnott, Jonas Sjöstedt, Bogusław Sonik, María Sornosa Martínez, Thomas Ulmer, Anja Weisgerber, Åsa Westlund
Substitutes present for the final vote	David Casa, Christofer Fjellner, Erna Hennicot-Schoepges, Karin Jöns, Kartika Tamara Liotard, Caroline Lucas, Justas Vincas Paleckis
Substitutes under Rule 178(2) present for the final vote	Anne Laperrouze
Date tabled – A6	18.3.2005 A6-0056/2005
Comments	...