REPORT


Committee on the Environment, Public Health and Food Safety

Rapporteur: Julie Girling
Symbols for procedures

* Consultation procedure
*** Consent procedure
****I Ordinary legislative procedure (first reading)
****II Ordinary legislative procedure (second reading)
****III Ordinary legislative procedure (third reading)

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

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in *bold italics* in the left-hand column. Replacements are indicated in *bold italics* in both columns. New text is indicated in *bold italics* in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in *bold italics*. Deletions are indicated using either the ▌ symbol or strikeout. Replacements are indicated by highlighting the new text in *bold italics* and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.
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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

(COM(2013)0920 – C7-0004/2014 – 2013/0443(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2013)0920),

– having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0004/2014),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to the opinion of the European Economic and Social Committee of 10 July 2014¹,

– having regard to the opinion of the Committee of the Regions of 7 October 2014²,

– having regard to Rule 59 of its Rules of Procedure,

– having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Industry, Research and Energy and the Committee on Agriculture and Rural Development (A8-0249/2015),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a directive
Recital 1

(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”)\(^\text{15}\). Directive 2001/81/EC of the European Parliament and of the Council\(^\text{16}\) has been instrumental in this progress by setting caps on Member States’ total annual emissions for 2010 onwards of sulphur dioxide (SO\(_2\)), nitrogen oxides (NO\(_x\)), ammonia (NH\(_3\)) and volatile organic compounds other than methane (NMVOC). As a result, SO\(_2\) emissions were reduced by 82%, NO\(_x\) emissions by 47%, NMVOC emissions by 56% and NH\(_3\) emissions by 28% between 1990 and 2010. However, as indicated in the “Clean Air Programme for Europe” (“revised TSAP”)\(^\text{17}\), significant adverse impacts and risks remain on the environment and human health.


\(^{17}\)Communication from the Commission to the Council and the European Parliament “A Clean Air Programme for Europe”, COM(2013) [xxx].

linguistic amendment – not voted
Amendment 2
Proposal for a directive
Recital 2

Text proposed by the Commission

(2) The seventh Environment Action Programme\textsuperscript{18} 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\textsuperscript{18} 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 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.


Amendment 3
Proposal for a directive
Recital 4 a (new)

Text proposed by the Commission

(4a) Member States and the Union are parties to the 2013 Minamata Convention on Mercury, which seeks to improve

Amendment

(4a) Member States and the Union 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. This Directive should contribute to the reduction of mercury emissions in the Union as required by the Communication from the Commission to the Council and the European Parliament of 28 January 2005 on a Community Strategy on Mercury and the Minamata Convention on Mercury.

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 4

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

Amendment 5

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 in addition to the improvement of air quality globally.
quality globally and by improving synergies with Union climate and energy policy and ensuring non-duplication of existing Union legislation. This Directive should in particular, be aligned with evolving Union and international climate change action, including, but not limited to, the 2030 policy framework for climate and energy and a comprehensive, binding global climate change agreement.

Amendment 6
Proposal for a directive
Recital 8 a (new)

Text proposed by the Commission

(8a) This Directive should also contribute to the reduction of the health-related costs of air pollution in the Union by improving EU citizens’ quality of life as well as to favour the transition to a green economy.

Amendment 7
Proposal for a directive
Recital 8 b (new)

Text proposed by the Commission

(8b) In order to reduce emissions from maritime transport, it is necessary to ensure a full and timely implementation of the limits laid down by the International Maritime Organisation (IMO) and a strict enforcement of Directive 2012/33/EU of the European Parliament and of the Council. Further action to control shipping emissions is also needed. It is appropriate that the union and Member States consider defining new emission control areas and continue to work within the IMO to further reduce the emissions.
Amendment 8
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.**

Amendment 9
Proposal for a regulation
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**

Amendment

(11) **In order to promote cost-effective achievement of the national emission reduction commitments, Member States should have the possibility to jointly meet their commitments regarding methane (CH₄) and of making use of Decision n°406/2009/EC of the European Parliament**
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.\textsuperscript{21} Member States should also have the possibility to jointly meet their commitments \textit{and intermediate emission levels} regarding methane (CH\textsubscript{4}) and of making use of Decision n°406/2009/EC of the European Parliament and of the Council for so doing.\textsuperscript{22} For the purpose of checking compliance with their national emission ceilings, emission reduction commitments and \textit{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 \textit{any of these flexibilities} by a Member State, should the conditions set out in this Directive not be met.


Amendment 10

Proposal for a directive

Recital 12
(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.23


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.23

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Proposal 11

Recital 13

Text proposed by the Commission

(13) In order to reduce atmospheric $NH_3$ and $PM_{2.5}$ 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 owning to specific national circumstances.

Amendment

(13) In order to reduce atmospheric $NH_3$, $CH_4$ and $PM_{2.5}$ emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. These measures should be cost-effective and based on specific information and data, taking account of scientific progress and previous measures undertaken by Member States. The development of
guidelines on good agricultural practice for using NH₃, to be exchanged at Union level, would also be desirable in an attempt to reduce these emissions. Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owning to specific national circumstances.

Amendment 12
Proposal for a directive
Recital 13 a (new)

*Text proposed by the Commission*

(13a) In order to reduce emissions from the main contributors, national air pollution control programmes should include measures applicable to 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 taking into account specific national circumstances.

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

*Text proposed by the Commission*  

(13b) In taking measures to be included in national air control programmes which are applicable to the agricultural sector, Member States should ensure that impacts on small to medium-sized farms are fully taken into account and these impacts do not entail significant additional costs that cannot be borne by such farms.
Improvements in air quality should be achieved through proportionate measures that safeguard the future of agricultural holdings. The national air pollution control programmes should provide a balance between animal husbandry and pollution control.

Amendment 14

Proposal for a directive
Recital 13 c (new)

Text proposed by the Commission

Amendment

(13c) The measures taken under national air pollution control programmes to prevent NH3, CH4 and PM2.5 emissions in the agricultural sector should be eligible for financial support under, inter alia, the Rural Development Funds, in particular measures by small and medium-sized farms requiring significant changes of practices or significant investments such as extensive grazing, agroecology, anaerobic digestion for biogas production using farm waste, and low emission housing systems.

Amendment 15

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 those areas.

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 16
Proposal for a regulation
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, 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 to contribute to the protection of the right to live in an environment which is adequate for personal health and well-being.

Amendment 17
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.

Amendment 18
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 should take account of the European Parliamentary Research Service's study "Air Quality - Complementary Impact Assessment on interactions between EU air quality policy and climate and energy policy".

Amendment 19
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 for a determinate period 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 20
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

Amendment

(Does not affect English version)
effective, proportionate and dissuasive.

*linguistic amendment – not voted*

**Amendment 21**
Proposal for a directive
Recital 26 a (new)

*Text proposed by the Commission*

(26a) The candidate and potential candidate countries should align, as much as possible, their national laws with this Directive.

**Amendment 22**
Proposal for a directive
Article 1 – paragraph 1 a (new)

*Text proposed by the Commission*

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 the air quality guidelines published by the World Health Organisation;

(b) the achievement of Union 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 out in legislative acts of the Union;
(d) the mitigation of climate change impacts by reducing emissions of short-lived climate pollutants and by improving synergies with Union climate and energy policy;

This Directive shall in particular, be aligned with evolving Union and international climate change action, including, but not limited to, the 2030 policy framework for climate and energy and a comprehensive, binding global climate change agreement.

Amendment 23

Proposal for a directive
Article 3 – point 3 a (new)

Text proposed by the Commission

3a. "critical load" means a quantitative estimate of an exposure to one or more pollutants below which, according to present knowledge, significant adverse effects on specified sensitive elements of the environment do not occur;

Justification

This definition is derived from the existing NEC Directive 2001/81/EC, and is necessary to provide clarity and consistency.

Amendment 24

Proposal for a regulation
Article 3 – point 3 b (new)

Text proposed by the Commission

3b. "critical level" means the concentration of pollutants in the atmosphere above which, according to present knowledge, direct adverse effects on receptors, such as human beings, plants, ecosystems or materials, may
occur.

Justification

This definition is derived from the existing NEC Directive 2001/81/EC, and is necessary to provide clarity and consistency.

Amendment 25
Proposal for a directive
Article 3 – point 4 a (new)

Text proposed by the Commission

Amendment

4a. "ground-level ozone" means ozone in the lowermost part of the troposphere;

Justification

This definition is derived from the existing NEC Directive 2001/81/EC, and is necessary to provide clarity and consistency.

Amendment 26
Proposal for a directive
Article 3 – point 4 b (new)

Text proposed by the Commission

Amendment

4b. "volatile organic compounds" (VOCs) mean all organic compounds arising from human activities, other than methane, which are capable of producing photochemical oxidants by reactions with nitrogen oxides in the presence of sunlight.

Justification

This definition is derived from the existing NEC Directive 2001/81/EC, and is necessary to provide clarity and consistency.
Amendment 27
Proposal for a directive
Article 3 – point 5

Text proposed by the Commission

5. ‘non-methane volatile organic compounds’ (NMVOC) means 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;

Amendment

5. ‘non-methane volatile organic compounds’ (NMVOC) means all organic compounds of an anthropogenic origin, other than methane, that are capable of producing photochemical oxidants by reaction with nitrogen oxides in the presence of sunlight;

Justification

Linguistic amendment not voted.

Amendment 28
Proposal for a directive
Article 3 – point 6 a (new)

Text proposed by the Commission

6a. "national emission ceiling" means the maximum amount of a substance expressed in kilotonnes, which may be emitted in a Member State in a calendar year;

Amendment

Justification

This definition is derived from the existing NEC Directive 2001/81/EC, and is necessary to provide clarity and consistency.

Amendment 29
Proposal for a directive
Article 3 – 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

Amendment

deleted

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fishing vessels, that depart from the territory of one country and arrive in the territory of another country;

Amendment 30

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

Text proposed by the Commission

12a. "EU source-based air pollution policies" means Regulations or Directives which, irrespective of the obligations laid down in those Regulations or Directives, have as a goal, whether partially or not, to reduce the emissions of sulphur dioxide (SO₂), nitrogen oxides (NOₓ), non-methane volatile organic compounds (NMVOC), ammonia (NH₃), particulate matter (PM₂.₅) and methane (CH₄), by undertaking mitigation measures at the source, including at least, but not exclusively, the reductions of emissions accomplished by:

- Directive 94/63/EC¹ᵃ,
- Directive 97/68/EC¹ᵇ,
- Directive 98/70/EC¹ᶜ;
- Directive 1999/32/EC¹ᵈ,
- Directive 2009/126/EC¹ᵉ,
- Directive 2004/42/EC¹ᶠ,
- Directive 2007/46/EC¹ᵍ including Regulation (EC) No 715/2007¹ʰ,
- Regulation (EC) No 79/2009¹ⁱ,
- Regulation (EC) No 595/2009¹ʲ and Regulation (EC) No 661/2009¹ᵏ,
- Directive 2010/75/EU¹ˡ,
- Regulation (EU) No 167/2013¹ᵐ,
- Regulation (EU) No 168/2013¹ⁿ,


1m Regulation (EU) No 167/2013 of the European Parliament and of the Council
of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (OJ L 60, 2.3.2013, p. 1).


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 31

Proposal for a regulation
Article 3 – point 12 b (new)

Text proposed by the Commission

12b. "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.
Amendment 32
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 (SO₂), nitrogen oxides (NOx), volatile organic compounds other than methane (NMVOC), ammonia (NH₃), particulate matter (PM₂.₅) and methane (CH₄) 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 (SO₂), nitrogen oxides (NOx), non-methane volatile organic compounds (NMVOC), ammonia (NH₃), particulate matter (PM₂.₅) and mercury (Hg) in accordance with the national emission reduction commitments applicable from 2020, 2025 and 2030, as laid down in Annex II.

Amendment 33
Proposal for a directive
Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall, as a minimum, limit their annual anthropogenic emissions of methane (CH₄) in accordance with the national emission reduction commitments applicable from 2030, as laid down in Annex II.

Amendment 34
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 SO₂, NOₓ, NMVOC, NH₃, PM₂.₅ and CH₄. The levels of those

Amendment

Member States shall provide, in their reports submitted to the Commission in accordance with Article 9, updates on their progress towards achieving their national emission reduction commitments.
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 35
Proposal for a directive
Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

3. The following emissions are not accounted for the purpose of complying with paragraphs 1 and 2:

Amendment

3. The following emissions are not taken into account for the purpose of complying with paragraph 1:

Amendment 36
Proposal for a directive
Article 4 – paragraph 3 – point d

Text proposed by the Commission

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

Amendment

(d) emissions from international maritime traffic.

Amendment 37
Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. In order to comply with the intermediate emission levels determined for 2025 in accordance with Article 4, paragraph 2, and the national emission reduction commitments set out in Annex II applicable from 2030 onwards for NOx, SO2 and PM2.5, Member States may offset NOx, SO2 and PM2.5 emission reductions achieved by international maritime traffic against NOx, SO2 and PM2.5 emissions

Amendment

deleted
released by other sources in the same year, provided that they meet the following conditions:

(a) the emission reductions occur in the sea areas that fall within the Member States' territorial seas, exclusive economic zones or in pollution control zones if such zones have been established;

(b) they have adopted and implemented effective monitoring and inspection measures to ensure a proper operation of this flexibility;

(c) they have implemented measures to achieve lower NOx, SO2 and PM2.5 emissions from international maritime traffic than the emissions levels that would be achieved by compliance with the Union standards applicable to emissions of NOx, SO2 and PM2.5 and have demonstrated an adequate quantification of the additional emission reductions resulting from these measures;

(d) they have not offset more than 20% of the NOx, SO2 and PM2.5 emission reductions calculated in accordance with point (c), provided that the offset does not result in non-compliance with the national emission reduction commitments for 2020 set out in Annex II.

Amendment 38

Proposal for a directive
Article 5 – paragraph 2 – introductory part

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<th>Text proposed by the Commission</th>
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<td>Member States may jointly implement their methane emission reduction commitments and intermediate emission levels referred to in Annex II, provided that they meet the following conditions:</td>
<td>Member States may jointly implement their methane emission reduction commitments referred to in Annex II, provided that they meet the following conditions:</td>
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Amendment 39

Proposal for a directive
Article 5 – paragraph 3

3. Member States may establish adjusted annual national emission inventories for SO₂, NOₓ, NH₃, NMVOC and PM₂,₅ in accordance with Annex IV where non-compliance with their national emission reduction commitments or their intermediate emission levels would result from applying improved emission inventory methods updated in accordance with scientific knowledge.

Justification

Your rapporteur believes that commitments under the NEC Directive should also be binding for 2025, which renders the reference to intermediate emission levels superfluous.

Amendment 40

Proposal for a directive
Article 5 – paragraph 4

4. Members States that intend to apply paragraphs 1, 2 and 3 shall inform the Commission by 30 September of the year preceding the reporting year concerned. That information shall include the pollutants and sectors concerned and, where available, the magnitude of the impacts upon national emission inventories.

Justification

The Commission proposal would bring forward the reporting date for reporting preliminary emissions for the previous year from 31 December to 30 September. This does not leave sufficient time to collate data and quality assure it.
Amendment 41

Proposal for a directive
Article 5 – paragraph 5 – subparagraph 1

Text proposed by the Commission
The Commission, assisted by the European Environment Agency, shall review and assess whether the use of any of the flexibilities for a particular year fulfils the relevant requirements and criteria.

Amendment
The Commission, assisted by the European Environment Agency, shall review and assess whether the use of a flexibility or adjustment for a particular year fulfils the relevant requirements and criteria.

Amendment 42

Proposal for a directive
Article 5 – paragraph 5 – subparagraph 2

Text proposed by the Commission
Where the Commission has raised no objections within nine months from the date of receipt of the relevant report referred to in Article 7, paragraphs 4, 5 and 6, the Member State concerned shall consider the use of the flexibility applied to be accepted and valid for that year. Where the Commission considers the use of a flexibility not to be in accordance with the applicable requirements and criteria, it shall adopt a Decision and inform the Member State that it cannot be accepted.

Amendment
Where the Commission has raised no objections within six months from the date of receipt of the relevant report referred to in Article 7, paragraphs 5 and 6, the Member State concerned shall consider the use of the flexibility applied to be accepted and valid for that year. Where the Commission considers the use of a flexibility not to be in accordance with the applicable requirements and criteria, it shall, within nine months from the date of receipt of the relevant report, adopt a Decision and inform the Member State that it cannot be accepted. The decision shall be accompanied by a justification.

Amendment 43

Proposal for a directive
Article 5 – paragraph 6

Text proposed by the Commission
6. The Commission may adopt implementing acts specifying the detailed rules for the use of the flexibilities as

Amendment
6. The Commission may adopt implementing acts specifying the detailed rules for the use of a flexibility as referred
referred to in paragraphs 1, 2 and 3, in accordance with the examination procedure referred to in Article 14.

to in paragraphs 2 and 3, in accordance with the examination procedure referred to in Article 14.

Amendment 44

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

1. Member States shall draw up and adopt a national air pollution control programme in accordance with Part 2 of Annex III in order to limit their annual anthropogenic emissions in accordance with Article 4.

Amendment

1. Member States shall draw up and adopt a national air pollution control programme in accordance with Part 2 of Annex III in order to limit their annual emissions in accordance with Article 4, and to achieve the objectives of this Directive pursuant to Article 1.

Amendment 45

Proposal for a directive
Article 6 – paragraph 2 – subparagraph 1 – point a a (new)

Text proposed by the Commission

(aa) consider the cost-effectiveness of emission reduction measures and take into account emission reductions that have been achieved or, if the Member State prioritises its emission reduction measures, can be achieved by applying existing Union legislation;

Amendment

(ab) prioritise specific policy measures which aim at reducing risks to the health of vulnerable groups of people and to ensure compliance with the exposure
reduction target established in accordance with Section B of Annex XIV to Directive 2008/50/EC;

Amendment 47
Proposal for a directive
Article 6 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission
(b) take account of the need to reduce air pollutants emissions for the purpose of reaching compliance with air quality objectives in their territories and, where appropriate in neighbouring Member States;

Amendment
(b) reduce air pollutant emissions for the purpose of reaching compliance with air quality objectives in their territories, in particular the limit values under Directive 2008/50/EC, and, where appropriate in neighbouring Member States;

Amendment 48
Proposal for a directive
Article 6 – paragraph 2 – subparagraph 1 – point b a (new)

Text proposed by the Commission
(ba) quantify the additional emission reductions needed in order to meet by 2030 ambient air quality levels equal to or below the levels as recommended by the World Health Organisation;

Amendment
(ba) quantify the additional emission reductions needed in order to reach the critical loads and levels for the protection of the environment by 2030;

Amendment 49
Proposal for a directive
Article 6 – paragraph 2 – subparagraph 1 – points b b (new)

Text proposed by the Commission
(bb) quantify the additional emission reductions needed in order to reach the critical loads and levels for the protection of the environment by 2030;
Amendment 50
Proposal for a directive
Article 6 – paragraph 2 – subparagraph 1 – points b c (new)

Text proposed by the Commission

(bc) identify relevant measures to meet the objectives referred to in (ba) and (bb).

Amendment 51
Proposal for a directive
Article 6 – paragraph 2 – subparagraph 1 – point c a (new)

Text proposed by the Commission

(ca) support the shift of investments towards clean and efficient technologies and sustainable production with the help of fiscal incentives;

Amendment 52
Proposal for a directive
Article 6 – paragraph 2 – subparagraph 1 – point c b (new)

Text proposed by the Commission

(cb) Assess the extent to which different national geographic regions have distinct needs and difficulties in tackling air pollution.

Amendment 53
Proposal for a directive
Article 6 – paragraph 2 – subparagraph 1 – point d a (new)

Text proposed by the Commission

(da) ensure that the relevant competent authorities monitor the effectiveness of measures brought into force by Member
States in order to comply with this Directive and, if necessary, are empowered to take action.

Amendment 54
Proposal for a directive
Article 6 – paragraph 2 a (new)

Text proposed by the Commission

2a. The Commission shall ensure that all EU source-based air pollution policies are fit for purpose and contribute towards reaching the Union air quality objectives.

To this end, the Commission and the Member States shall immediately agree on the new Euro 6 Real Driving Emissions (RDE) regulation proposal currently under consideration.

The new type approval test method shall apply no later than 2017 and shall ensure that pollutants such as NO\textsubscript{x}, and particulate matter (PM2.5 and PM10) are effectively limited under conformity factors that are necessary to represent real driving conditions.

These conformity factors shall be strict and quantified to represent only the uncertainty of the RDE test procedure.

Amendment 55
Proposal for a directive
Article 6 – paragraph 2 b (new)

Text proposed by the Commission

2b. Member States shall establish a system of routine and non-routine environmental inspections and market surveillance and public reporting of mobile and stationary sources to ensure that policies and measures are effective in delivering
emission reductions under real operating conditions.

By ... * the Commission shall present a legislative proposal for a Union-wide system of in-use surveillance testing and public reporting of emission standards for light duty vehicles, administered by the relevant competent authority, in order to verify that vehicles and engines are Euro 6 compliant throughout their full useful life.

OJ: Please insert the date two years from the date of transposition of this Directive.

Amendment 56

Proposal for a directive
Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States may support the gradual elimination of the sources of low-level emissions by encouraging the replacement, in the transport and fuel supply sector, of porous hoses by emission-free hose technologies.

Justification

Hydrocarbons contribute to the build-up of low-level ozone. Standard fuelling hoses sometimes allow hydrocarbons to escape, and this can be prevented by using modern, emission-free systems.

Amendment 57

Proposal for a directive
Article 6 – paragraph 4 – point b

Text proposed by the Commission

(b) Member States decide to make use of any of the flexibilities set out in Article 5.

Amendment

(b) Member States decide to make use of a flexibility* set out in Article 5.
### Amendment 58

**Proposal for a directive**  
**Article 6 – paragraph 4 – subparagraph 1 a (new)**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>National air pollution control programmes shall indicate whether Member States intend to make use of a flexibility set out in Article 5.</td>
<td></td>
</tr>
</tbody>
</table>

### Amendment 59

**Proposal for a directive**  
**Article 6 – paragraph 5**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Member States shall consult, in accordance with relevant Union legislation, the public and competent authorities, which, by reason of their specific environmental responsibilities in the field of air pollution, quality and management at all levels, are likely to be concerned by the implementation of the national air pollution control programmes, on their draft national air pollution control programme and any significant updates prior to their finalisation. Where appropriate, transboundary consultations shall be ensured in accordance with relevant Union legislation.</td>
<td></td>
</tr>
<tr>
<td>5. Member States shall consult, in accordance with relevant Union legislation, competent authorities, which, by reason of their specific environmental responsibilities in the field of air pollution, quality and management at all levels, are likely to be concerned by the implementation of the national air pollution control programmes, on their draft national air pollution control programme and all updates prior to their finalisation. These consultations shall include the relevant local or regional authorities responsible for implementing emission abatement policies in specified zones and/or agglomerations, and shall not exclude zones and/or agglomerations which are located in at least two Member States.</td>
<td></td>
</tr>
</tbody>
</table>

### Amendment 60

**Proposal for a directive**  
**Article 6 – paragraph 5 – subparagraph 1 a (new)**
Text proposed by the Commission

Member States shall ensure, in accordance with relevant Union law, that members of the public concerned are consulted at an early stage in the drawing up and review of draft national air pollution control programmes and in any updates of those programmes prior to their finalisation. Where appropriate, transboundary consultations shall be ensured in accordance with relevant Union law, including Article 25 of Directive 2008/50/EC.

Amendment 61

Proposal for a directive
Article 6 – paragraph 5 a (new)

Text proposed by the Commission

5a. Member States shall appoint their own independent expert body to conduct a review of draft national air pollution programmes to assess the accuracy of the information and the adequacy of the policies and measures set out in those programmes. The results of that review shall be made publicly available prior to the publication of the draft national air pollution control programme in order to facilitate meaningful public participation.

Amendment 62

Proposal for a directive
Article 6 – paragraph 6 – subparagraph 1 a (new)

Text proposed by the Commission

The Commission shall provide guidance for emission reduction measures not included in Part 1 of Annex III, including domestic heating and road transport,
which Member States may include in the national air pollution control programme.

Amendment 63
Proposal for a directive
Article 6 – paragraph 8

Text proposed by the Commission
8. The Commission may establish guidance on the elaboration and implementation of national air pollution control programmes.

Amendment
8. The Commission shall establish guidance on the elaboration and implementation of national air pollution control programmes.

Amendment 64
Proposal for a directive
Article 6 – paragraph 9

Text proposed by the Commission
9. The Commission may also specify the format and the necessary information concerning Member States' national air pollution control programmes in the form of implementing acts. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14.

Amendment
9. The Commission shall also specify the format and the necessary information concerning Member States' national air pollution control programmes in the form of implementing acts. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14.

Justification
In order to ensure a harmonized format of the national air pollution control programmes, an implementing act is necessary.

Amendment 65
Proposal for a directive
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a
Clean Air Fund
The Commission shall facilitate access to financial support to help ensure that appropriate measures can be taken to comply with the objectives of this Directive.

This shall include available funding under, inter alia:

(a) agricultural funding, including that available under the Common Agricultural Policy 2014-2020, as amended in the 2017 mid-term review to include Air Quality as a public good with particular reference to ammonia or methane, or both, so as to offer Member States and relevant regional and local authorities the opportunity to contribute to emission reductions with specific measures, and for assistance to do so;

(b) future work programmes of the Horizon 2020 - the Framework Programme for Research and Innovation;

(c) European Structural and Investment Funds;

(d) Funding instruments for the environment and climate action such as LIFE;

(e) any combination of the above.

The Commission shall ensure that funding procedures are simple, transparent and accessible to different levels of government.

The Commission shall evaluate the possibility of creating a one-stop shop, where entities can easily find the availability of funds and the procedures related to access projects which address air pollution concerns.

Amendment 66

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 2
Text proposed by the Commission

Member States should prepare and annually update national emission inventories for the pollutants set out in table B of Annex I, in accordance with the requirements set out therein.

Amendment

Member States shall prepare and annually update national emission inventories for the pollutants set out in table B of Annex I, in accordance with the requirements set out therein.

Justification

Reporting by Member States should compulsory. Linguistic amendment not voted.

Amendment 67

Proposal for a directive
Article 7 – paragraph 4

Text proposed by the Commission

4. Member States that apply the flexibility under Article 5(1) shall include the following information in the informative inventory report of the year concerned:

(a) the quantity of emissions of NO$_x$, SO$_2$ and PM$_{2.5}$ that would have occurred in the absence of an emission control area;

(b) the level of emission reductions attained in the Member State's part of the emission control area in accordance with Article 5(1)(c);

(c) the extent to which they apply this flexibility;

(d) any additional data Member States may deem appropriate to allow the Commission, assisted by the European Environment Agency, to carry out a complete assessment of the conditions under which the flexibility has been implemented.

Amendment 68

Proposal for a directive
Article 7 – paragraph 7

*Text proposed by the Commission*

7. Member States shall establish the emission inventories, including adjusted emission inventories, emission projections and the informative inventory report in accordance with Annex IV.

*Amendment*

7. Member States shall establish the emission inventories, including if appropriate adjusted emission inventories, emission projections and the informative inventory report in accordance with Annex IV.

*Justification*

The adjusted emission inventories are established only in case that MS opt for the flexibility provided in Article 5(3).

*Amendment 69 Proposal for a directive*

Article 8 – paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure, if practicable, the monitoring of adverse impacts of air pollution upon ecosystems in accordance with the requirements laid down in Annex V.

*Amendment*

1. Member States shall monitor the adverse impacts of air pollution upon ecosystems in accordance with the requirements laid down in Annex V.

*Amendment 70 Proposal for a directive*

Article 8 – paragraph 2

*Text proposed by the Commission*

2. Member States shall, where appropriate, coordinate the monitoring of air pollution impacts with other monitoring programmes established by virtue of Union legislation, including Directive 2008/50/EC and Directive 2000/60/EC of the European Parliament and of the Council.$^{30}$

*Amendment*


Amendment 71

Proposal for a directive
Article 9 – paragraph 1 – subparagraph 1

* Text proposed by the Commission

1. Member States shall provide their national air pollution control programme to the Commission within three months of the date referred to in Article 17, date to be inserted by OPOCE] and updates every two years thereafter.

* Amendment

1. Member States shall provide their national air pollution control programme to the Commission by ...* and updates every two years thereafter.

* OJ: Please insert the date six months after entry into force of this Directive.

Amendment 72

Proposal for a directive
Article 9 – paragraph 1 – subparagraph 2

* Text proposed by the Commission

Where a national air pollution control programme is updated under Article 6(4), the Member State concerned shall inform the Commission thereof within two months.

* Amendment

Where a national air pollution control programme is updated under Article 6(4), the Member State concerned shall communicate the updated programme to the Commission within two months.

Amendment 73

Proposal for a directive
Article 9 – paragraph 2 – subparagraph 1

* Text proposed by the Commission

2. Member States shall from 2017 communicate their national emission inventories, emission projections, spatially

* Amendment

2. Member States shall from 2017 communicate their national emission inventories, emission projections, spatially
disaggregated emission inventories, large point source inventories and reports referred to in Article 7(1), (2) and (3) and, where relevant, Article 7(4), (5) and (6), to the Commission and to the European Environmental Agency in accordance with the reporting dates set out in Annex I.

disaggregated emission inventories, large point source inventories and reports referred to in Article 7(1), (2) and (3) and, where relevant, Article 7(5) and (6), to the Commission and to the European Environmental Agency in accordance with the reporting dates set out in Annex I.

Amendment 74

Proposal for a directive
Article 9 – paragraph 4 – introductory part

Text proposed by the Commission

4. The Commission, assisted by the European Environment Agency and the Member States shall regularly review the national emission inventory data. This review shall involve the following:

Amendment

4. The Commission, assisted by the European Environment Agency and the Member States shall regularly review the national emission inventory data and national air pollution control programmes. This review shall involve the following:

Amendment 75

Proposal for a directive
Article 9 – paragraph 4 – point c a (new)

Text proposed by the Commission

(ca) checks to verify that national air pollution control programmes satisfy the requirements under Article 6.

Amendment

The results of the Commission review shall be made publicly available, in accordance with Article 11.
Amendment 77
Proposal for a directive
Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. The Commission shall, every five years at least, report to the European Parliament and the Council on the progress on implementing this Directive, including an assessment of its contribution to the achievement of the objectives of this Directive.

Amendment

1. The Commission shall, every 30 months starting from ... present a report to the European Parliament and the Council on the implementation of this Directive. In doing so, the Commission shall assess:

a) Its contribution and Members States’ efforts, to achieving the objectives of this Directive;

b) the progress in the reduction of air pollutants’ emissions up to 2025 and 2030;

(c) the progress towards achieving the long term objectives of air quality aims established in the seventh Environment Action Programme;

(d) whether the critical loads and levels and World Health Organisation air pollution guide values are exceeded; and

(e) Member States' uptake of available EU funding, where such funding has been used to target air pollution reduction.

*OJ: Please insert the date of entry into force of this Directive.

Amendment 78
Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

When reporting on Member States’ emission reductions for the year 2020, 2025 and 2030, the Commission shall include the reasons for non-achievement, where applicable.

Amendment 79

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

Where the report indicates that Member States are unable to comply with Union law and the air quality limit values laid down in Directive 2008/50/EC, the Commission shall:

(a) assess whether the non-achievement is the result of ineffective EU source-based air pollution policy, including its implementation at Member State level,

(b) consult with the Committee referred to in Article 14 and identify where there is a need for new source legislation and, where appropriate, present legislative proposals so to ensure compliance with the targets of this Directive. Any such proposal shall be supported by a robust impact assessment and reflect the latest scientific data.

Amendment 80

Proposal for a directive

Article 10 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The Commission shall in any case report as above for the year 2025, and shall also

On the basis of these reports, the Commission shall, together with Member
include information on the achievement of the intermediate emission levels referred to in Article 4 paragraph 2 and the reasons for any non-achievement. It shall identify the need for further action also considering the sectorial impacts of implementation.

States, identify the need for further action to be taken, including at national level, also considering the sectorial impacts of implementation.

Amendment 81

Proposal for a directive
Article 10 – paragraph 2

Text proposed by the Commission

2. The reports referred to in paragraph 1 may include an evaluation of the environmental and socioeconomic impacts of this Directive.

Amendment

2. The reports referred to in paragraph 1 shall include an evaluation of the health, environmental, and socioeconomic impacts of this Directive, including the impact on Member State health systems and the cost of non-implementation. The Commission shall make those reports publicly available.

Amendment 82

Proposal for a directive
Article 10 a (new)

Text proposed by the Commission

Article 10 a

European Clean Air Forum

The Commission shall set up a European Clean Air Forum to facilitate the coordinated implementation of the Clean Air Programme and bring together all relevant actors including the Member States’ competent authorities at all relevant levels, the Commission, industry, civil society, and the scientific community every two years. The Clean Air Forum shall oversee the establishment of guidance on the elaboration and implementation of national air pollution
control programmes, the evolution of the emissions reduction paths, including the assessment of the reporting requirements.

**Justification**

*Communication COM(2013) 918* states that the European Commission will set up a Clean Air Forum to facilitate the coordinated implementation of this Directive every two years. This forum should issue guidance to national authorities responsible for implementation of the NECD and other Union air quality legislation.

**Amendment 83**

Proposal for a directive  
Article 11 – paragraph 1 – point b a (new)

*Text proposed by the Commission*  
*Amendment*

(ba) progress by Member States in achieving the country's specific 2025 and 2030 binding air pollution targets for each pollutant.

**Amendment 84**

Proposal for a directive  
Article 11 – paragraph 1 – point b b (new)

*Text proposed by the Commission*  
*Amendment*

(bb) the results of the review referred to in Article 9(4).

**Amendment 85**

Proposal for a directive  
Article 11 – paragraph 2 a (new)

*Text proposed by the Commission*  
*Amendment*

2a. Member States shall ensure that the public concerned have access to administrative or judicial procedures to challenge acts and omissions by
competent authorities or private persons which do not comply with this Directive. Such procedures shall provide adequate and effective remedies, including interim relief as appropriate, and be fair, equitable, timely and not prohibitively expensive.

Member States shall ensure that information on how to access such procedures is made publicly available and shall consider the establishment of appropriate assistance mechanisms to remove or reduce financial and other barriers to access to justice.

Amendment 86

Proposal for a directive
Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11 a

Based on the reports referred to in Article 10(1), the Commission shall review this Directive no later than 2025 with a view to safeguarding progress towards achieving the World Health Organisation’s recommended air quality levels and the long term vision as set out in the seventh Environment Action Programme. In particular, the Commission shall, if appropriate, and taking into account scientific and technological progress, propose changes to the national emissions reduction commitments in Annex II;

On the basis of the regular reports referred to in Article 10(1) the Commission shall consider measures for reducing emissions from international shipping particularly in Member States’ territorial waters and exclusive economic zones, and, if appropriate, submit a legislative proposal.
Amendment 87

Proposal for a directive
Article 12

Text proposed by the Commission

The Union and the Member States, as appropriate, shall pursue bilateral and multilateral cooperation with third countries and coordination within relevant international organisations such as the United Nations Environment Programme (UNEP), United Nations Economic Commission for Europe (UNECE), the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO), including through the exchange of information, concerning technical and scientific research and development, with the aim of improving the basis for emission reductions.

Amendment

The Union and the Member States, as appropriate, shall pursue bilateral and multilateral cooperation with third countries and coordination within relevant international organisations such as the United Nations Environment Programme (UNEP), United Nations Economic Commission for Europe (UNECE), the Food and Agriculture Organization of the United Nations (FAO), the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO), including through the exchange of information, concerning technical and scientific research and development, with the aim of improving the basis for emission reductions. Member States shall conduct cross-border consultations on mutual threats posed by emissions from adjacent industrial regions in those countries and the Member States concerned shall develop joint plans to eliminate or reduce those emissions.

Justification

Neighbouring Member States should conduct consultations and develop joint plans to eliminate or reduce emissions, particularly in cases where they have industrial regions that are adjacent to one another.

Amendment 88

Proposal for a directive
Article 13 – paragraph 2

Text proposed by the Commission

2. The delegation of power referred to in Articles 6(7), 7(9) and 8(3) shall be conferred on the Commission for an

Amendment

2. The power to adopt delegated acts referred to in Articles 6(7), 7(9) and 8(3) shall be conferred on the Commission for a
indeterminate period of time from the date of entry into force of this Directive.

period of 5 years from ...*. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of five-year period. The delegation of power shall be tacitly extended for periods of identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

* OJ: Please insert the date of entry into force of this Directive.

Amendment 89

Proposal for a directive
Article 15

Text proposed by the Commission

Member States shall lay down the rules on the penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

Amendment

Member States shall lay down the rules on the penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those measures no later than ... * and shall notify it without delay of any subsequent amendment thereto.

* OJ: Please insert the date of entry into force of this Directive.

Justification

The Commission should be in a position to ensure penalties are effective and proportionate between and within Member States, particularly given the trans-boundary nature of air pollution.
Amendment 90
Proposal for a directive
Article 15 – paragraph 1 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Without prejudice to paragraph 1, Member States shall not pass on the burden of compliance to authorities which do not have the strategic powers to comply with the requirements of the Directive.</td>
<td></td>
</tr>
</tbody>
</table>

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 91
Proposal for a directive
Annex I – table A– row 5

<table>
<thead>
<tr>
<th>Preliminary national emissions by aggregated NFR(^2)</th>
<th>- SO(_2), NO(_X), NH(<em>3), NMVOC, PM(</em>{2.5})</th>
<th>Annual, for reporting year minus 1 (X-1)</th>
<th>30/09</th>
</tr>
</thead>
</table>

| Preliminary national emissions by aggregated NFR\(^2\) | - SO\(_2\), NO\(_X\), NH\(_3\), NMVOC, PM\(_{2.5}\) | every two years, for reporting year minus 1 (X-1) | 31/12 |

Justification

The Commission proposal would bring forward the reporting date for reporting preliminary emissions for the previous year from 31 December to 30 September. This does not leave sufficient time to collate data and quality assure it.

Amendment 92
Proposal for a directive
## Annex II – table a

*Text proposed by the Commission*

Table (a): Emission reduction commitments for sulphur dioxide (SO₂), nitrogen oxides (NOₓ) and non-methane volatile organic compounds (NMVOC). Fuels sold, base year 2005.

<table>
<thead>
<tr>
<th>Member State</th>
<th>SO₂ reduction compared with 2005</th>
<th>NOₓ reduction compared with 2005</th>
<th>NMVOC reduction compared with 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For any year from 2020 to 2029</td>
<td>For any year from 2020 to 2029</td>
<td>For any year from 2020 to 2029</td>
</tr>
<tr>
<td>Belgium</td>
<td>43%</td>
<td>68%</td>
<td>41%</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>78%</td>
<td>94%</td>
<td>41%</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>45%</td>
<td>72%</td>
<td>35%</td>
</tr>
<tr>
<td>Denmark</td>
<td>35%</td>
<td>58%</td>
<td>56%</td>
</tr>
<tr>
<td>Germany</td>
<td>21%</td>
<td>53%</td>
<td>39%</td>
</tr>
<tr>
<td>Estonia</td>
<td>32%</td>
<td>71%</td>
<td>18%</td>
</tr>
<tr>
<td>Greece</td>
<td>74%</td>
<td>92%</td>
<td>31%</td>
</tr>
<tr>
<td>Spain</td>
<td>67%</td>
<td>89%</td>
<td>41%</td>
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<tr>
<td>France</td>
<td>55%</td>
<td>78%</td>
<td>50%</td>
</tr>
<tr>
<td>Croatia</td>
<td>55%</td>
<td>87%</td>
<td>31%</td>
</tr>
<tr>
<td>Ireland</td>
<td>65%</td>
<td>83%</td>
<td>49%</td>
</tr>
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<td>Italy</td>
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<td>50%</td>
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<td>Cyprus</td>
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<td>Latvia</td>
<td>8%</td>
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<td>Lithuania</td>
<td>55%</td>
<td>72%</td>
<td>48%</td>
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<tr>
<td>Luxemburg</td>
<td>34%</td>
<td>44%</td>
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<td>Hungary</td>
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<td>88%</td>
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<td>Malta</td>
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<tr>
<td>Netherlands</td>
<td>28%</td>
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<td>45%</td>
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<td>Austria</td>
<td>26%</td>
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<td>37%</td>
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<td>Poland</td>
<td>59%</td>
<td>78%</td>
<td>30%</td>
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<td>Portugal</td>
<td>63%</td>
<td>77%</td>
<td>36%</td>
</tr>
<tr>
<td>Romania</td>
<td>77%</td>
<td>93%</td>
<td>45%</td>
</tr>
<tr>
<td>Member State</td>
<td>SO\textsubscript{2} reduction compared with 2005</td>
<td>NO\textsubscript{x} reduction compared with 2005</td>
<td>NMVOC reduction compared with 2005</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td></td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
<td>For any year from 2020 to 2024</td>
</tr>
<tr>
<td>Slovenia</td>
<td>63%</td>
<td>89%</td>
<td>39%</td>
</tr>
<tr>
<td>Slovak Republic</td>
<td>57%</td>
<td>79%</td>
<td>36%</td>
</tr>
<tr>
<td>Finland</td>
<td>30%</td>
<td>30%</td>
<td>35%</td>
</tr>
<tr>
<td>Sweden</td>
<td>22%</td>
<td>22%</td>
<td>36%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>59%</td>
<td>84%</td>
<td>55%</td>
</tr>
<tr>
<td>EU 28</td>
<td>59%</td>
<td>81%</td>
<td>42%</td>
</tr>
</tbody>
</table>

Amendment

Table (a): Emission reduction commitments for sulphur dioxide (SO\textsubscript{2}), nitrogen oxides (NO\textsubscript{x}) and non-methane volatile organic compounds (NMVOC). Fuels sold, base year 2005.
<table>
<thead>
<tr>
<th>Member State</th>
<th>NH$_3$ reduction compared with 2005</th>
<th>PM$_{2,5}$ reduction compared with 2005</th>
<th>CH$_4$ reduction compared with 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lithuania</td>
<td>55% 74% 75%</td>
<td>48% 53% 60%</td>
<td>32% 60% 64%</td>
</tr>
<tr>
<td>Luxemburg</td>
<td>34% 46% 48%</td>
<td>43% 76% 82%</td>
<td>29% 58% 59%</td>
</tr>
<tr>
<td>Hungary</td>
<td>46% 87% 88%</td>
<td>34% 68% 74%</td>
<td>30% 57% 60%</td>
</tr>
<tr>
<td>Malta</td>
<td>77% 98% 99%</td>
<td>42% 86% 90%</td>
<td>23% 32% 32%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>28% 57% 61%</td>
<td>45% 67% 72%</td>
<td>8% 35% 37%</td>
</tr>
<tr>
<td>Austria</td>
<td>26% 53% 57%</td>
<td>37% 71% 77%</td>
<td>21% 48% 50%</td>
</tr>
<tr>
<td>Poland</td>
<td>59% 76% 81%</td>
<td>30% 52% 62%</td>
<td>25% 55% 59%</td>
</tr>
<tr>
<td>Portugal</td>
<td>63% 79% 80%</td>
<td>36% 70% 75%</td>
<td>18% 47% 47%</td>
</tr>
<tr>
<td>Romania</td>
<td>77% 92% 93%</td>
<td>45% 65% 71%</td>
<td>25% 64% 66%</td>
</tr>
<tr>
<td>Slovenia</td>
<td>63% 90% 90%</td>
<td>39% 68% 75%</td>
<td>23% 64% 65%</td>
</tr>
<tr>
<td>Slovakia</td>
<td>57% 79% 80%</td>
<td>36% 57% 63%</td>
<td>18% 40% 42%</td>
</tr>
<tr>
<td>Finland</td>
<td>30% 32% 36%</td>
<td>35% 47% 54%</td>
<td>35% 47% 54%</td>
</tr>
<tr>
<td>Sweden</td>
<td>22% 18% 20%</td>
<td>36% 63% 67%</td>
<td>25% 35% 39%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>59% 83% 85%</td>
<td>55% 71% 75%</td>
<td>32% 50% 51%</td>
</tr>
<tr>
<td>EU 28</td>
<td>59% 80% 83%</td>
<td>42% 66% 72%</td>
<td>28% 50% 53%</td>
</tr>
</tbody>
</table>

**Justification**

The national emission reduction figures for the years 2025 and 2030 on the basis of the European Parliament's Impact Assessment and the most cost effective option for reducing emissions taking into account climate and energy policy.

**Amendment 93**

**Proposal for a directive**

**Annex II – table b**

*Text proposed by the Commission*

Table (b): Emission reduction commitments for ammonia (NH$_3$), fine particulate matter (PM$_{2,5}$) and methane (CH$_4$). Fuels sold, base year 2005.
<table>
<thead>
<tr>
<th></th>
<th>2020 to 2029</th>
<th>2020 to 2029</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>2%</td>
<td>16%</td>
<td>20%</td>
<td>47%</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>3%</td>
<td>10%</td>
<td>20%</td>
<td>64%</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>7%</td>
<td>35%</td>
<td>17%</td>
<td>51%</td>
</tr>
<tr>
<td>Denmark</td>
<td>24%</td>
<td>37%</td>
<td>33%</td>
<td>64%</td>
</tr>
<tr>
<td>Germany</td>
<td>5%</td>
<td>39%</td>
<td>26%</td>
<td>43%</td>
</tr>
<tr>
<td>Estonia</td>
<td>1%</td>
<td>8%</td>
<td>15%</td>
<td>52%</td>
</tr>
<tr>
<td>Greece</td>
<td>7%</td>
<td>26%</td>
<td>35%</td>
<td>72%</td>
</tr>
<tr>
<td>Spain</td>
<td>3%</td>
<td>29%</td>
<td>15%</td>
<td>61%</td>
</tr>
<tr>
<td>France</td>
<td>4%</td>
<td>29%</td>
<td>27%</td>
<td>48%</td>
</tr>
<tr>
<td>Croatia</td>
<td>1%</td>
<td>24%</td>
<td>18%</td>
<td>66%</td>
</tr>
<tr>
<td>Ireland</td>
<td>1%</td>
<td>7%</td>
<td>18%</td>
<td>35%</td>
</tr>
<tr>
<td>Italy</td>
<td>5%</td>
<td>26%</td>
<td>10%</td>
<td>45%</td>
</tr>
<tr>
<td>Cyprus</td>
<td>10%</td>
<td>18%</td>
<td>46%</td>
<td>72%</td>
</tr>
<tr>
<td>Latvia</td>
<td>1%</td>
<td>1%</td>
<td>16%</td>
<td>45%</td>
</tr>
<tr>
<td>Lithuania</td>
<td>10%</td>
<td>10%</td>
<td>20%</td>
<td>54%</td>
</tr>
<tr>
<td>Luxemburg</td>
<td>1%</td>
<td>24%</td>
<td>15%</td>
<td>48%</td>
</tr>
<tr>
<td>Hungary</td>
<td>10%</td>
<td>34%</td>
<td>13%</td>
<td>63%</td>
</tr>
<tr>
<td>Malta</td>
<td>4%</td>
<td>24%</td>
<td>25%</td>
<td>80%</td>
</tr>
<tr>
<td>Netherlands</td>
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<td>38%</td>
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<tr>
<td>Austria</td>
<td>1%</td>
<td>19%</td>
<td>20%</td>
<td>55%</td>
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<tr>
<td>Poland</td>
<td>1%</td>
<td>26%</td>
<td>16%</td>
<td>40%</td>
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<tr>
<td>Portugal</td>
<td>7%</td>
<td>16%</td>
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<td>70%</td>
</tr>
<tr>
<td>Romania</td>
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<td>65%</td>
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<tr>
<td>Slovenia</td>
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<td>25%</td>
<td>70%</td>
</tr>
<tr>
<td>Slovakia</td>
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<tr>
<td>Finland</td>
<td>20%</td>
<td>20%</td>
<td>30%</td>
<td>39%</td>
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<tr>
<td>Sweden</td>
<td>15%</td>
<td>17%</td>
<td>19%</td>
<td>30%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>8%</td>
<td>21%</td>
<td>30%</td>
<td>47%</td>
</tr>
</tbody>
</table>
Table (b): Emission reduction commitments for ammonia (NH$_3$), fine particulate matter (PM$_{2.5}$) and methane (CH$_4$). Fuels sold, base year 2005.

<table>
<thead>
<tr>
<th>Member State</th>
<th>NH$_3$ reduction compared with 2005</th>
<th>PM$_{2.5}$ reduction compared with 2005</th>
<th>CH$_4$ reduction compared with 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>2% 16% 17% 20% 48% 50%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>3% 11% 10% 20% 64% 70%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>7% 35% 36% 17% 51% 59%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Denmark</td>
<td>24% 37% 38% 33% 61% 67%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Germany</td>
<td>5% 46% 47% 26% 42% 46%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Estonia</td>
<td>1% 10% 10% 15% 51% 74%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Greece</td>
<td>7% 28% 28% 35% 71% 73%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Spain</td>
<td>3% 29% 30% 15% 63% 64%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>France</td>
<td>4% 31% 32% 27% 46% 52%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Croatia</td>
<td>1% 27% 29% 18% 67% 71%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Ireland</td>
<td>1% 11% 14% 18% 35% 44%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Italy</td>
<td>5% 29% 29% 10% 44% 56%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Cyprus</td>
<td>10% 21% 21% 46% 73% 74%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Latvia</td>
<td>1% 3% 4% 16% 56% 63%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Lithuania</td>
<td>10% 4% 1% 20% 57% 65%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Luxemburg</td>
<td>1% 25% 25% 15% 48% 50%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Hungary</td>
<td>10% 38% 38% 13% 63% 66%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Malta</td>
<td>4% 25% 28% 25% 80% 81%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Netherlands</td>
<td>13% 24% 26% 37% 40% 42%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Austria</td>
<td>1% 20% 19% 20% 56% 59%</td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
</tr>
<tr>
<td>Country</td>
<td>2025</td>
<td>2026</td>
<td>2027</td>
</tr>
<tr>
<td>-------------</td>
<td>------</td>
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<td>------</td>
</tr>
<tr>
<td>Poland</td>
<td>1%</td>
<td>28%</td>
<td>29%</td>
</tr>
<tr>
<td>Portugal</td>
<td>7%</td>
<td>22%</td>
<td>20%</td>
</tr>
<tr>
<td>Romania</td>
<td>13%</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1%</td>
<td>25%</td>
<td>26%</td>
</tr>
<tr>
<td>Slovakia</td>
<td>15%</td>
<td>41%</td>
<td>41%</td>
</tr>
<tr>
<td>Finland</td>
<td>20%</td>
<td>17%</td>
<td>17%</td>
</tr>
<tr>
<td>Sweden</td>
<td>15%</td>
<td>18%</td>
<td>18%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>8%</td>
<td>22%</td>
<td>22%</td>
</tr>
<tr>
<td>EU 28</td>
<td>6%</td>
<td>29%</td>
<td>30%</td>
</tr>
</tbody>
</table>

**Justification**

NH3 and PM2.5: The national emission reduction figures for the years 2025 and 2030 on the basis of the European Parliament's Impact Assessment and the most cost effective option for reducing emissions taking into account climate and energy policy. For methane, the Commission proposal is maintained.

**Amendment 94**

Proposal for a directive
Annex II – table b a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Table (ba) Emission reduction commitments for mercury (Hg) compared to 2005</strong></td>
<td></td>
</tr>
<tr>
<td><em>For any year from 2025 to 2029</em></td>
<td></td>
</tr>
<tr>
<td><em>For any year from 2030</em></td>
<td></td>
</tr>
<tr>
<td>*Figures shall be based on the methodology of the European Parliamentary Research Service's study &quot;Air Quality - Complementary Impact Assessment on interactions between EU air quality policy and climate and energy policy&quot; 75% gap closure climate and energy policy (CEP) scenario including the EU’s 2030 Climate and Energy Framework, as set out in the Commission Communication &quot;A policy framework for&quot;</td>
<td></td>
</tr>
</tbody>
</table>
climate and energy in the period from 2020 to 2030”.

Amendment 95
Proposal for a directive
Annex III – part 1 – section A – point 1 – point a

Text proposed by the Commission
(a) nitrogen management, taking into account the full nitrogen cycle;

Amendment
(a) nitrogen management, taking into account the full nitrogen cycle and consideration of the establishment of soil and nutrient management plans;

Amendment 96
Proposal for a directive
Annex III – part 1 – section A – point 1 – point c

Text proposed by the Commission
(c) low-emission manure spreading approaches;

Amendment
(c) low-emission manure spreading approaches and techniques including separation into liquids and solids;

Amendment 97
Proposal for a directive
Annex III – part 1 – section A – point 1 – point e

Text proposed by the Commission
(e) low-emission manure processing and composting systems;

Amendment
(e) low-emission manure processing and composting systems including separation into liquids and solids;

Amendment 98
Proposal for a directive
Annex III – part 1 – section A – point 1 – point g a (new)
Text proposed by the Commission

Amendment

(ga) promotion of grazing and extensive farming and enhancing the pasture biodiversity in plant with high level of amino acids such as clover, alfalfa and cereals;

Justification

Incorporating plants with a high amino acid or high protein content into the pasture fodder (e.g. by under-sowing into temporary grasslands) increases soil fertility and as well as reduces feed costs e.g. from imported soya.

Amendment 99

Proposal for a directive
Annex III – part 1 – section A – point 1 – point g b (new)

Text proposed by the Commission

Amendment

(gb) promotion of crop rotation including nitrogen fixing crops;

Justification

More holistic approaches to farming practices can have great impacts on the reduction of ammonia emissions and can also deliver significant additional environmental benefits (soil, biodiversity, water). Practices such as crop rotation significantly increase the soil quality and can reduce farmer’s dependency on artificial inputs. Practices such as extensive grazing can help improve biodiversity, reduce greenhouse gas and air pollution and are good for animal welfare.

Amendment 100

Proposal for a directive
Annex III – part 1 – section A – point 1 – point g c (new)

Text proposed by the Commission

Amendment

(gc) promotion of agroecological farming that leads to agricultural systems with high biodiversity, resource efficiency and reduced or ideally no dependency on chemical inputs;
Amendment 101
Proposal for a directive
Annex III – part 1 – section A – point 3 – point d

Text proposed by the Commission
(d) inorganic fertilisers shall be spread in line with the foreseeable requirements of the receiving crop or grassland with respect to nitrogen and phosphorus, also taking into account the existing nutrient content in the soil and the nutrients from other fertilizers.

Amendment
(d) inorganic fertilisers shall as far as possible be replaced by organic fertilisers. Where inorganic fertilisers continue to be applied, they shall be spread in line with the foreseeable requirements of the receiving crop or grassland with respect to nitrogen and phosphorus, also taking into account the existing nutrient content in the soil and the nutrients from other fertilizers.

Amendment 102
Proposal for a directive
Annex III – part 1 – section A – point 4 – point a – introductory part

Text proposed by the Commission
(a) reduce emissions from slurry and solid manure application to arable land and grassland, by using methods that reduce emissions by at least 30% compared with the reference method described in the Ammonia Guidance Document and on the following conditions:

Amendment
(a) reducing emissions from slurry and solid manure application to arable land and grassland, by using methods that reduce emissions by at least 30% compared with the reference method described in the Ammonia Guidance Document and on the following conditions:

Justification

Linguistic amendment – not voted.

Amendment 103
Proposal for a directive
Annex III – part 1 – section A – point 4 – point a – point ii

Text proposed by the Commission
(ii) manures and slurries shall not be

Amendment
(ii) not spreading manures and slurries
spread when the receiving land is water saturated, flooded, frozen or snow covered;

Justification

Linguistic amendment – not voted.

Amendment 104
Proposal for a directive
Annex III – part 1 – section A – point 4 – point b – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) reduce emissions from manure storage outside of animal houses, by using the following approaches:</td>
<td>(b) reducing emissions from manure storage outside of animal houses, by using the following approaches:</td>
</tr>
</tbody>
</table>

Justification

Linguistic amendment – not voted.

Amendment 105
Proposal for a directive
Annex III – part 1 – section A – point 4 – point b – point i

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) for slurry stores constructed after 1\textsuperscript{st} January 2022, low emission storage systems or techniques shall be used which have been shown to reduce ammonia emissions by at least 60% compared with the reference method described in the Ammonia Guidance Document, and for existing slurry stores at least 40%;</td>
<td>(i) for slurry stores constructed after 1\textsuperscript{st} January 2022, using low emission storage systems or techniques which have been shown to reduce ammonia emissions by at least 60% compared with the reference method described in the Ammonia Guidance Document, and for existing slurry stores at least 40%;</td>
</tr>
</tbody>
</table>

Justification

Linguistic amendment – not voted.

Amendment 106
Proposal for a directive
Annex III – part 1 – section A – point 4 – point c

Text proposed by the Commission

(c) reduce emissions from animal housing, by using systems which have been shown to reduce ammonia emissions by at least 20% compared with the reference method described in the Ammonia Guidance Document.

Amendment

(c) reducing emissions from animal housing, by using systems which have been shown to reduce ammonia emissions by at least 20% compared with the reference method described in the Ammonia Guidance Document.

Justification

Linguistic amendment – not voted.

Amendment 107

Proposal for a directive
Annex III – part 1 – section A – point 4 – point d

Text proposed by the Commission

(d) Reduce emissions from manure, by using low protein feeding strategies which have been shown to reduce ammonia emissions by at least 10% compared with the reference method described in the Ammonia Guidance Document.

Amendment

(d) reducing emissions from manure, by using low protein feeding strategies which have been shown to reduce ammonia emissions by at least 10% compared with the reference method described in the Ammonia Guidance Document.

Justification

Linguistic amendment – not voted.

Amendment 108

Proposal for a directive
Annex III – part 1 – section A b (new)

Text proposed by the Commission

Ab. Measures to control emissions of nitrogen oxides and particulate matter in urban areas

In consultation with local and regional authorities, Member States shall consider the following measures:
- sustainable urban mobility plans including measures such as low emission zones, congestion pricing, parking controls, speed limits, car sharing schemes and roll-out of alternative charging infrastructure;

- promotion of modal shift to increase the use of cycling, walking and public transport;

- sustainable urban freight plans such as the introduction of consolidation centres plus measures to encourage a shift of regional freight from road to electric rail and water;

- using the planning system to address emissions from new development and boiler systems; retrofit energy efficiency measures to existing buildings;

- retrofitting schemes to promote the replacement of old domestic combustion installations with better home insulation, heat pumps, light fuel oil, new wood pellet installations, district heating or gas;

- economic and fiscal incentives to encourage the uptake of low emitting heating appliances;

- banning of solid-fuel burning in residential areas and other sensitive areas to protect the health of vulnerable groups including children;

- ensure emissions from construction are minimised by introducing and enforcing policies to reduce and monitor construction dust, and set emissions limits for Non Road Mobile Machinery (NRMM)

- revision of vehicle taxation rates in recognition of the higher real-world emissions from diesel cars and gasoline direct injection vehicles to encourage sales of less polluting vehicles;

- public procurement and fiscal incentives to encourage early uptake of ultra-low
emission vehicles;
- support for retrofit of UNECE REC Class IV particulate filters on diesel machines, trucks, buses and taxis;
- regulate emissions from construction machines and other non-road mobile machinery operating in densely populated areas (including through the retrofit);
- awareness raising campaigns and alerts.

Amendment 109
Proposal for a directive
Annex III – part 1 – section C a (new)

Text proposed by the Commission

Amendment

Ca. Emission reduction measures to restrict hydrocarbon emissions

Member States shall reduce emissions of non-methane volatile organic compounds (NMVOC) by promoting the use of modern emission-free tube technologies that are used in various sectors.

Justification

Traditional filling station hoses are not completely airtight. This can allow hydrocarbons to escape and create ground-level ozone. Extrapolation has shown that the volume of hydrocarbon emissions at filling stations in Europe can be estimated at around 45 million litres per year. A modern emission-free tanking system could counter hydrocarbon emissions.

Amendment 110
Proposal for a directive
Annex III – part 2 – point 1 – point a – point i

Text proposed by the Commission

Amendment

(i) the policy priorities and their relationship to priorities set in other relevant policy areas, including climate change;

(i) the policy priorities and their relationship to priorities set in other relevant policy areas, including agriculture, rural economic, industrial, mobility and transport, conservation of
nature and climate change;

Justification

Overlap and synergies with more policy areas than mere climate change policy exist in this matter: agricultural, industry, rural economic and conservation of nature are to be included therefore as well.

Amendment 111

Proposal for a directive
Annex III – part 2 – paragraph 1 – point b

Text proposed by the Commission

(b) the policy options considered to meet the emission reduction commitments for 2020 and 2030 onwards and the intermediate emission levels determined for 2025 and to contribute to further improve the air quality, and their analysis, including the method of analysis; the individual or combined impacts of the policies and measures on emission reductions, air quality and the environment; and the associated uncertainties;

Amendment

(b) the policy options considered to meet the emission reduction commitments for 2020, 2025 and 2030 to contribute to further improve the air quality, and their analysis, including the method of analysis; the individual or combined impacts of the policies and measures on emission reductions, air quality and the environment; and the associated uncertainties;

Amendment 112

Proposal for a regulation
Annex III – part 2 – paragraph 1 – point d

Text proposed by the Commission

(d) where relevant, an explanation of the reasons why the intermediate emission levels for 2025 cannot be met without measures entailing disproportionate costs;

Amendment

(d) an explanation of the measures taken to achieve national emission reduction commitments;

Amendment 113

Proposal for a directive
Annex III – part – point 1 – point d a (new)
(da) an explanation of the methodology used to ensure that measures to achieve national reduction commitments for PM2.5 prioritise reduction of black carbon emissions.

Amendment 114
Proposal for a directive
Annex III – part 2 – point 1 – point e

(e) an assessment of how selected policies and measures ensure coherence with plans and programmes set up in other relevant policy areas.

Amendment 115
Proposal for a directive
Annex III – part 2 – point 2 – point a

(a) an assessment of the progress made with implementation of the programme, the reduction of emissions and the reduction of concentrations;
Justification

More information on the impacts of air pollution will help to improve levels of public engagement with air pollution policy and in particular with the formulation and implementation of NAPCPs.

Amendment 116

Proposal for a directive
Annex III – part 2 – point 2 – point b

Text proposed by the Commission

(b) any significant changes in the policy context, assessments, the programme or the implementation time table.

Amendment

(b) any significant changes in the policy context, assessments \(\text{including the results of the inspections and market surveillance carried out in accordance with Article 6(2b), the programme or the implementation time table.}\)

Amendment 117

Proposal for a directive
Annex 3 – part 2 – point 2 – point b a (new)

Text proposed by the Commission

(\(\text{ba}\)) an assessment of the progress made towards the achievement of the Union's long-term health and environmental objectives, in light of any necessary update of those objectives, including any new air quality guidelines set by the World Health Organisation;

Amendment

(\(\text{bb}\)) Where a national air pollution control programme is updated in accordance with Article 6(4), it must
include information on all additional air pollution abatement measures that have been considered at appropriate local, regional or national level for implementation in connection with the attainment of emission reduction commitments and air quality objectives, including those outlined in Annex III of this Directive and paragraph 3 of Annex XV (B) to Directive 2008/50/EC.
EXPLANATORY STATEMENT

Evidence-based policy-making must be the cornerstone of EU legislation. Laws should be founded on robust, comprehensive impact assessments that explain why legislation both addresses the key questions of whether a proposal is necessary and proportionate, and assesses whether action is best sought at the EU level. In the case of air quality, the answer is clear: this is a significant trans-boundary human health and environmental issue that profoundly affects all EU citizens and requires immediate action.

After years of political neglect, air pollution has risen up the political agenda as a major public health concern. Poor air quality contributes to premature death, to sickness absences from work, significant healthcare costs, productivity loss, crop yield loss and damage to buildings. In Europe, the total external health-related costs to society from air pollution are estimated to be in the range of €330-940 billion per year. Moreover, there is a growing body of evidence available to show that atmospheric nitrogen deposition is leading to changes in the natural environment such as reduced diversity of ground vegetation, reduced plant growth, and unbalanced nutritional status due to eutrophication and acidification.

While work has been done to reduce air pollution across the Union, many Member States are falling short of agreed standards. Moreover, the EU remains far from its long-term objective; to adhere to the recommended pollutant limits in the WHO's 2005 air quality guidelines. On 18 December 2013, the Commission published its long-awaited Clean Air Package, backed by a substantial impact assessment. The package outlines measures to ensure that existing targets are met in the short-term and sets new air quality objectives for the period up to 2030. It consists of four elements: a Clean Air Programme for Europe; a proposal for a Decision to ratify the 2012 amendment to the Gothenburg Protocol to the UNECE Convention on Long Range Trans-boundary Air Pollution on behalf of the EU; a proposal for a new Directive to reduce pollution from medium-sized combustion installations, such as energy plants for large buildings, and small industry installations; and lastly, the legislative proposal upon which this report is based, revising the 2001 National Emission Ceilings (NEC) Directive.

The Commission’s proposal repeals and replaces the existing NEC Directive, setting new ceilings on emissions for sulphur dioxide, nitrogen oxides, ammonia, and non-methane volatile organic compounds for 2020 and 2030. It would also extend the Directive to cover particulate matter (PM$_{2.5}$) from 2020 and – in order to introduce an important synergy with climate legislation – methane from 2030. The targets for 2020 reflect the limits that have been signed up to internationally under the Gothenburg Protocol.

The proposal’s new targets for 2030 are the most complicated element with different limits for each Member State and each pollutant. It is based on delivering 70% of the maximum technically feasible reductions in health impacts as defined by the WHO; the Commission has then established the limits for individual Member States based on where it has assessed the most cost-effective measures can be taken. The Commission’s text also requires Member States to adopt national air pollution control programmes, which must be updated every two years.

Although the original proposal for a revised NEC Directive was published almost 16 months ago, first reading by the co-legislators has been delayed as a result of new mandates beginning within the European Parliament and Commission, and protracted discussions between Member States and the Commission regarding the proposal’s original baseline scenarios used
for establishing the 2030 reduction targets. Utilizing this additional time at the start of the legislative term, the European Parliament’s Committee on Environment, Public Health and Food Safety commissioned a complementary impact assessment, published in October 2014, to investigate the interactions between EU air quality policy and the 2030 climate and energy policy put forward by the Commission in early 2014.

There has also been uncertainty surrounding the future prospects of the proposal after its inclusion in Annex II (list of withdrawals or modifications of pending proposals) of the Commission’s 2015 Work Programme. Responding to Member State concerns over the cumulative costs and impacts of the new legislation, the Commission had considered withdrawing the proposal; a suggestion strongly dismissed by your rapporteur and the European Parliament, as well as numerous Member States and affected stakeholders. Given the clear benefits to human health and the environment, the Commission has opted to maintain the proposal, albeit with the unspecific caveat that it will be modified as part of the legislative follow-up to the 2030 climate and energy package. First reading can now begin in earnest.

It is important to note that the rapporteur is supportive of the new Commission's commitment to introduce smarter, more streamlined regulation and reduce administrative burdens on both businesses and Member States. The NEC Directive should be no exception to this approach. Whilst the ceilings for the target dates set out in the report must incentivise emission reductions, they should also be fixed at a level that is realistic, proportionate, deliverable, evidence-based, and does not disproportionately impact any one sector.

Your rapporteur has approached this report guided by the principle that better regulation and environmental protection are not mutually exclusive. As such, this Directive should be coherent with other pillars of EU policy and aligned with related draft legislation, where possible. Sound data, better exchange of information, and specific attention to monitoring and reporting both for National Emission Ceilings and for all source legislation will be crucial to the long-term success of this Directive, and it is imperative that it delivers on these objectives.

In the context of the 2030 framework for climate and energy policy, it is likely that, at a future point, adjustments to the NEC Directive will have to be made based on the legislative outcomes that underpin the 2030 framework. Indeed, the EU has spent much of its focus over the last decade addressing climate change, to the detriment of air quality. This has incentivised divergent and inconsistent policies. For example, climate policies have fostered large increases in the fleet share of diesel cars, a major source of nitrogen oxides and particulate matter, as they have approximately 15% lower tailpipe CO2 emissions than petrol vehicles.

There are important interactions between climate and air quality policies. With this in mind, your rapporteur has chosen to maintain methane within the scope of this Directive. Methane emissions are already regulated directly under existing EU legislation, for example under the Landfill of Waste Directive, and indirectly through the Effort Sharing Decision, as it is a powerful greenhouse gas. However, methane is also a significant ozone precursor and it is therefore important to tackle it specifically in this legislation.

To ensure progress towards the 2030 limits, your rapporteur has added fully binding 2025 targets for all pollutants, with the exception of ammonia. The Commission’s ammonia target for 2030 will be difficult to achieve in some Member States, particularly those with large agricultural sectors, and a degree of flexibility is critically important, as ammonia levels are...
difficult to mitigate quickly and effectively. For this reason, and the fact that there is no flexibility for this pollutant in the Commission proposal, I have only opted for a 2030 limit.

Your rapporteur has also chosen to remove the flexibility allowing offsets from reductions in emissions of nitrogen oxides, sulphur dioxides and particulate matter from international shipping. A provision to reduce maritime emissions instead of terrestrial emissions would be extremely difficult to apply and monitor in practice. Also, the flexibility would not apply evenly to all Member States, as landlocked countries would be excluded.

Member States must be fully informed of how they are performing in meeting their specific emission reduction commitments. When Member States are at risk of not meeting their obligations, there should be measures in place for early identification of the problem – this will enable countries to take corrective action. It is crucial that the Commission fulfils a comprehensive surveillance and early-warning role in this respect, whether in assisting Member States with key components of their national programme or, in the most severe cases, enabling them to take the required action. Where infringement proceedings are necessary, the Commission should take action, but this must not be considered merely as punitive; it should be deemed a last resort.

I recognise that some of the targets might be challenging for Member States, and in some circumstances the EU must provide assistance in return for improved transposition. Your rapporteur considers air quality to be a public good; as such Member States must have the possibility to benefit from EU funding. It is therefore necessary to look at new and innovative ways to finance emissions reductions.

For example, the Common Agricultural Policy (CAP) is a significant financial resource and the recent inter-institutional agreement to reform the CAP in 2013 included an increased focus on introducing greener, more environmentally friendly measures within European agriculture. It is the rapporteur's view that air quality should be part of this discourse in the same way as other public goods, given that the agricultural sector is a significant source of ammonia and methane emissions.

Lastly, it is important to properly acknowledge that the NEC Directive is Europe’s overarching framework piece of legislation for air quality, and without effective and implementable source legislation, Member States will never meet their emission reduction targets. In other words, a further tightening of air quality standards will be redundant unless we see a clear reduction in pollution from the main sources.

The automobile sector is a key example: it is vital that the Commission brings forward its long-delayed Euro 6c Emission Regulation to implement Real Driving Emissions (RDE) in the type approval requirements for new vehicles. In your rapporteur’s view, punitive action for non-compliance with nitrogen oxides limits is extremely difficult to justify if the testing standards are not fit for purpose and significantly underestimate on-road emissions.

In recognising this, the rapporteur also believes it is imperative to empower competent authorities to ensure they can take the required action to comply with all legislation relevant to meeting the 2030 limits. A prime example of such action would be the introduction of Low Emission Zones (LEZs), a traffic pollution charge scheme intended to reduce diesel car emissions in urban areas worst affected by emissions of nitrogen oxides and particulate matter.
OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

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


Rapporteur: Adam Gierek

SHORT JUSTIFICATION

Anthropogenic emissions of gases and particulates are largely caused by the incomplete combustion of fuels in heating, energy generation and transport, by industrial chemical processes and by abrasion caused by wheeled means of transport. Their intensity may have a seasonal character relating, inter alia, to low-level emissions.

The objective of the proposed directive of the European Parliament and of the Council is the establishment of new national emission limits for the most significant varieties of atmospheric pollutants. The proposed directive is intended to replace the current Directive 2001/81/EC on national emission ceilings for certain atmospheric pollutants to 2010 and to adapt EU law to its international commitments arising from the 1999 Gothenburg Protocol. The aim of the proposal is to reduce potential threats to human health, the environment and the climate. The proposal is the outcome of a review of EU atmospheric protection policy and forms part of a package of new EU rules.

Besides adapting EU law to the amended provisions of this Protocol, the proposed directive provides for a modification – i.e. a gradual stepping up of reduction commitments from 2020 to 2030 and later – in respect of four types of gas pollutants set out in the current directive (sulphur dioxide, nitrogen oxides, volatile organic compounds other than methane, and ammonia), in respect of particulate matter with a diameter no smaller than 2.5 micrometres (in accordance with the amended Protocol), and in respect of methane emissions. Within the scope of these ambitious plans to reduce pollutants, the proposed directive provides for medium-term emission ceilings for 2025.

The Member States’ commitments to reducing emissions are expressed as a percentage of emissions reductions between the total amount of a particular type of pollutant for the reference year (2005) and the total amount of emissions of that pollutant released into the atmosphere in the target calendar year. The directive obliges the Member States to draw up
national programmes for the reduction of emissions and to update them regularly (every two years). The programmes should contain a description of activities that make it possible for the Member States to assess the financial consequences of attaining the reduction targets. The Member States should, moreover, be obliged to monitor emissions of air pollutants and to draw up national balance sheets and emission projections. Both the national programmes and the emission balance sheets shall be submitted to the Commission.

The proposed directive also introduces a minor change to Directive 2003/35/EC concerning public participation in drawing up some plans and programmes dealing with the environment. This change consists of a reference to a provision concerning national programmes for the reduction of emissions.

It became necessary to amend Directive 2003/35/EC of the European Parliament and of the Council due, *inter alia*, to soil acidification, water eutrophication and progressive climate change. It has thus become necessary to develop a new legal act to consolidate the provisions that had already been implemented.

The most important are the amendments concerning legal provisions relating to public participation in the drawing up of plans and programmes dealing with the environment. A reference to national provisions governing the monitoring of air pollution has therefore been introduced to Annex I to the aforementioned Directive.

**Position of the rapporteur**

The rapporteur welcomes the proposal for a new directive of the European Parliament and of the Council. However, it must be stated that its basic elements were developed a quarter of a century ago, and the proposal fails to make reference to the need for better regulation and monitoring of these emissions, particularly at local level, through improving measurement methods.

**Specific comments**

1) The proposal did not take into account emissions of all particles, including emissions of particulate matter with a diameter of less than 2.5 micrometres, and particularly the most dangerous particulates for human health and the climate with diameters in the nanometre range.

2) It did not take into account chlorinated aromatic hydrocarbons, i.e. dioxins.

3) An important and pertinent issue is the seasonal character of emissions, in particular, the increased emissions in the heating period, including so-called low-level emissions.

4) Given that emissions spread irrespective of borders, maritime countries, aviation and maritime transport should not be exempted from the obligation of reducing their emissions. Countries should not be able to assess their emissions on a ‘flexible’ basis.

5) One hazardous gas released anthropogenically, although not produced anthropogenically in large amounts, is hydrogen sulphide (H$_2$S). Bacterial methods for refining high-sulphur crude oil during maritime transport which emit significant amounts of this toxic gas (H$_2$S) into the
atmosphere are known.

6) From a formal perspective, however, and particularly as regards references to various annexes of Commission proposals, there is a general lack of transparency in the Commission’s draft directive. The legal act in question should – in the opinion of the rapporteur for the opinion – have its own annexes, and should at least indicate more precisely to which specific documents the annexes refer.

**AMENDMENTS**

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

**Amendment 1**

Proposal for a directive
Recital 4 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(4a) Member States and the Union have committed to reducing their emissions of mercury as part of the implementation of the Minamata Convention on Mercury.</td>
<td></td>
</tr>
</tbody>
</table>

Justification

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.

**Amendment 2**

Proposal for a directive
Recital 6

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(6) The national emission ceiling regime established by Directive 2001/81/EC should therefore be revised in order to <strong>align it</strong> with the international commitments of the Union and the Member States.</td>
<td>(6) The national emission ceiling regime established by Directive 2001/81/EC should therefore be revised in order to <strong>ensure compliance</strong> with the international commitments of the Union and the Member States.</td>
</tr>
</tbody>
</table>
Amendment 3
Proposal for a directive
Recital 8 a (new)

Text proposed by the Commission

(8a) 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.

Justification

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.

Amendment 4
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.

Justification

National emission reduction commitments should be binding also for 2025 to achieve the "levels of air quality that do not give rise to significant negative impacts on, and risks to
human health and environment”.

Amendment 5
Proposal for a directive
Recital 9 a (new)

*Text proposed by the Commission*

Amendment

(9a) In determining emission reduction commitments, account should be taken of past efforts by Member States.

Amendment 6
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. 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.
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.


Justification

Follows the amendment to delete methane reduction commitments in the directive. Without the commitments there is no need for methods of jointly meeting commitments.

Amendment 7

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

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
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.\textsuperscript{23}


Amendment 8

Proposal for a directive

Recital 26 a (new)

\textit{Text proposed by the Commission}

\begin{quote}
\textbf{(26a)} The candidate and the potential candidate countries should align, as much as possible, their national regulations with this Directive.
\end{quote}

Amendment

\textit{Amendment}

Amendment 9

Proposal for a directive

Article 2 – paragraph 1

\textit{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.

\begin{quote}
\textit{Justification}

\textit{The scope must be accurate and consistent with other articles such as article 4.}
\end{quote}

\textit{Amendment}

This Directive shall apply to emissions of the pollutants referred to in Annex I from all \textit{anthropogenic} sources occurring in the territory of the Member States, their exclusive economic zones and pollution control zones.
Amendment 10
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$_2$), nitrogen oxides (NOx), volatile organic compounds other than methane (NMVOC), ammonia (NH$_3$), particulate matter (PM$_{2.5}$) and methane (CH$_4$) 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$_2$), nitrogen oxides (NOx), volatile organic compounds other than methane (NMVOC), ammonia (NH$_3$), particulate matter (PM$_{2.5}$) and mercury (Hg). Containment of non-methane volatile organic compounds (NMVOC) and methane (CH$_4$) shall be placed in the wider context of greenhouse gas emission reduction.

Justification

Annex II has to be changed accordingly. Mercury and its compounds are highly toxic to humans, especially to the developing nervous system. As vapour it is rapidly absorbed into the blood stream when inhaled. Microbial metabolism of deposited mercury can create methylmercury, a well-documented neurotoxin, which has the capacity to collect in organisms and to concentrate up food chains.

Amendment 11
Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

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$_2$, NO$_x$, NMVOC, NH$_3$, PM$_{2.5}$ and CH$_4$. 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

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.

Justification

Consequence of the amended art 4- par 1. i.e. national emission reduction commitments should be binding also for 2025.

Amendment 12

Proposal for a directive
Article 4 – paragraph 3

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. The following emissions are not accounted for the purpose of complying with paragraphs 1 and 2:</td>
<td>deleted</td>
</tr>
<tr>
<td>a) aircraft emissions beyond the landing and take-off cycle;</td>
<td></td>
</tr>
<tr>
<td>b) emissions in the Canary Islands, the French overseas departments, Madeira, and the Azores;</td>
<td></td>
</tr>
<tr>
<td>c) emissions from national maritime traffic to and from the territories referred to in point (b);</td>
<td></td>
</tr>
<tr>
<td>d) emissions from international maritime traffic, without prejudice to Article 5(1).</td>
<td></td>
</tr>
</tbody>
</table>

Justification

We must not close our eyes to all of these emissions, which – just like CO₂ – remain for long periods in the atmosphere and contribute towards climate change.

Amendment 13

Proposal for a directive
Article 4 – paragraph 3 a (new)
3a. Anthropogenic emission levels shall be determined by subtracting the amount of natural emissions from total emissions.

Justification

This concerns natural emissions – such as from land under cultivation – of nitrogen oxides and particulate matter, for instance.

Amendment 14

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. In order to comply with the intermediate emission levels determined for 2025 in accordance with Article 4, paragraph 2, and the national emission reduction commitments set out in Annex II applicable from 2030 onwards for NOx, SO2 and PM2.5, Member States may offset NOx, SO2 and PM2.5 emission reductions achieved by international maritime traffic against NOx, SO2 and PM2.5 emissions released by other sources in the same year, provided that they meet the following conditions:

a) the emission reductions occur in the sea areas that fall within the Member States’ territorial seas, exclusive economic zones or in pollution control zones if such zones have been established;

b) they have adopted and implemented effective monitoring and inspection measures to ensure a proper operation of this flexibility;

c) they have implemented measures to achieve lower NOx, SO2 and PM2.5 emissions from international maritime traffic than the emissions levels that
would be achieved by compliance with the Union standards applicable to emissions of NOx, SO2 and PM2,5 and have demonstrated an adequate quantification of the additional emission reductions resulting from these measures;

d) they have not offset more than 20% of the NOx, SO2 and PM2,5 emission reductions calculated in accordance with point (c), provided that the offset does not result in non-compliance with the national emission reduction commitments for 2020 set out in Annex II.

Amendment 15

Proposal for a directive
Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States may jointly implement their methane emission reduction commitments and intermediate emission levels referred to in Annex II, provided that they meet the following conditions:

(a) they comply with all applicable requirements and modalities enacted under Union legislation, including under Decision n°406/2009/EC of the European Parliament and of the Council.

(b) they have adopted and implemented effective provisions in order to ensure a proper operation of joint implementation.

Justification

This paragraph should be deleted if efforts to avoid duplication in this directive with regard to methane are successful. Methane is covered by both effort sharing under the climate change programme and the ETS. Adding methane in this revision of the NEC Directive would be a duplication that should be avoided, bearing in mind efforts towards ‘Better Regulation’ and the ‘Regulatory Fitness of SMEs’ (REFIT).
Amendment 16

Proposal for a directive
Article 5 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Member States may depart from the national emission reduction commitments applicable from 2030 onwards in accordance with Annex II to the extent that changes have occurred in the technical and economic factors which provided the basis for the original calculation of these targets.

Justification

Lessons should be learned from the mistakes of the past, when targets were set on the basis of scenarios that did not come about. It must be possible to adjust the targets per pollutant and Member State if emission projections, emission factors and economic or technical circumstances change significantly. Such a possibility is proposed in this amendment (in combination with the amendment to Article 5(1) on the flexibility mechanism in relation to hotspots), without affecting the achievement of the targets in Europe as a whole.

Amendment 17

Proposal for a directive
Article 5 – paragraph 3 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

Member States shall notify the reasons for departing from these targets to the Commission and shall apply for a transfer of credits. The Commission shall be empowered to adopt delegated acts in accordance with Article 13 concerning the development of methods and criteria and the decision on the transfer of emission credits.

Justification

Lessons should be learned from the mistakes of the past, when targets were set on the basis of scenarios that did not come about. It must be possible to adjust the targets per pollutant and Member State if emission projections, emission factors and economic or technical
circumstances change significantly. Such a possibility is proposed in this amendment (in combination with the amendment to Article 5(1) on the flexibility mechanism in relation to hotspots), without affecting the achievement of the targets in Europe as a whole.

Amendment 18

Proposal for a directive
Article 5 – paragraph 5 – subparagraph 2

Text proposed by the Commission
Where the Commission has raised no objections within nine months from the date of receipt of the relevant report referred to in Article 7, paragraphs 4, 5 and 6, the Member State concerned shall consider the use of the flexibility applied to be accepted and valid for that year. Where the Commission considers the use of a flexibility not to be in accordance with the applicable requirements and criteria, it shall adopt a Decision and inform the Member State that it cannot be accepted.

Amendment
Where the Commission has raised no objections within nine months from the date of receipt of the relevant report referred to in Article 7, paragraphs 4, 5 and 6, the Member State concerned shall consider the use of the flexibility applied to be accepted and valid for that year.

Justification
There is clearly a problem with the use of flexibility, namely the lack of clear criteria in determining it. This is why the Commission proposal contains provision for the Commission itself to act as ultimate arbiter in this matter.

Amendment 19

Proposal for a directive
Article 5 – paragraph 6 a (new)

Text proposed by the Commission
6a. If, in a given year, a Member State finds that it cannot comply with the emission reduction commitments laid down in Annex II, it may fulfil those commitments by averaging its national annual emissions for the year in question and the one or two years preceding that year, provided that this average does not
exceed its commitment.

Justification

On a specific year certain emissions can be affected significantly by external conditions, like e.g. cold weather conditions during winter time or dry weather during summer time. These conditions will e.g. result in variations in the electricity and heat demand and possibilities to utilize emission free production. The possibility to use an average even out these yearly fluctuations.

Amendment 20

Proposal for a directive
Article 6 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Member States shall, to the extent necessary, include the emission reduction measures laid down in Part 1 of Annex III or measures having equivalent environmental effect, with a view to meeting the relevant national emission reduction commitments.

Amendment

Member States may include the emission reduction measures laid down in Part 1 of Annex III or measures having equivalent environmental effect, with a view to meeting the relevant national emission reduction commitments.

Justification

Part 1 of Annex III sets out measures which may be included in National Air Pollution Control Programmes. It is intended to only be guidance and to leave the flexibility for Member States to choose the measures to deliver the required emissions reductions. The text in the Article needs to be consistent.

Amendment 21

Proposal for a directive
Article 6 – paragraph 3

Text proposed by the Commission

3. The national air pollution control programme shall be updated every two years.

Amendment

3. The national air pollution control programme shall be updated every four years.
Justification

The proposal requires programmes to be updated every two years. This time interval between revisions is too short and would prove both ineffective and costly, both for competent authorities and stakeholders. Furthermore, the update of the programmes should not be a systematic overhaul but only apply to the pollutant(s) for which the emission reduction commitments may not be met.

Amendment 22

Proposal for a directive
Article 6 – paragraph 4 – introductory part

Text proposed by the Commission

4. Without prejudice to paragraph 3, the emission reduction policies and measures contained in the national air pollution control programme shall be updated within 12 months *in either of the following cases*:

Amendment

4. Without prejudice to paragraph 3, the emission reduction policies and measures contained in the national air pollution control programme shall be updated within 24 months *when*:

Justification

Given the time needed to update a plan, there should be 2 years for updating a plan where the Directive is not complied with.

Amendment 23

Proposal for a directive
Article 6 – paragraph 4 – point b

Text proposed by the Commission

(b) Member States decide to make use of any of the flexibilities set out in Article 5.

Amendment

deleted

Justification

As a consequence of Art.5 (flexibility measures) deletion.

Amendment 24

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 2
Member States *should* prepare and annually update national emission inventories for the pollutants set out in table B of Annex I, in accordance with the requirements set out therein.

Member States *shall* prepare and annually update national emission inventories for the pollutants set out in table B of Annex I, in accordance with the requirements set out therein.

### Amendment 25

#### Proposal for a directive

**Article 7 – paragraph 4**

- **Text proposed by the Commission**
  - 4. Member States that apply the flexibility under Article 5(1) shall include the following information in the informative inventory report of the year concerned:
    - (a) the quantity of emissions of NOx, SO\(_2\) and PM\(_{2.5}\) that would have occurred in the absence of an emission control area;
    - (b) the level of emission reductions attained in the Member State’s part of the emission control area in accordance with Article 5(1)(c);
    - (c) the extent to which they apply this flexibility;
    - (d) any additional data Member States may deem appropriate to allow the Commission, assisted by the European Environment Agency, to carry out a complete assessment of the conditions under which the flexibility has been implemented.

- **Amendment**
  - deleted

#### Justification

As a consequence of Art.5 (flexibility measures) deletion.

### Amendment 26

#### Proposal for a directive
Article 7 – paragraph 5  

Text proposed by the Commission

5. Member States that opt for the flexibility under Article 5(2) shall provide a separate report allowing the Commission to review and assess whether the requirements of that provision are met.

Justification

As a consequence of Art.5 (flexibility measures) deletion.

Amendment 27

Proposal for a directive

Article 8 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure, if practicable, the monitoring of adverse impacts of air pollution upon ecosystems in accordance with the requirements laid down in Annex V.

Amendment 28

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall provide their national air pollution control programme to the Commission [within three months of the date referred to in Article 17, date to be inserted by OPOCE] and updates every two years thereafter.

Justification

Given the level of complexity of national air pollution control programmes it is important that member states have enough time to make updates.
Amendment 29

Proposal for a directive
Article 9 – paragraph 3

_text proposed by the Commission_

Amendment

3. Member States shall report their national emissions and projections for \( \text{CH}_4 \) in accordance with Regulation (EU) No 525/2013 of the European Parliament and of the Council.\(^{31}\)


_Justification_

Follows the deletion of methane reduction commitments in the directive. Without the commitments there is no need for reporting methane emissions and projections for methane in the context of the NEC directive.

Amendment 30

Proposal for a directive
Article 10 – paragraph 1 – subparagraph 2

_text proposed by the Commission_

Amendment

The Commission shall in any case report as above for the year 2025, and shall also include information on the achievement of the intermediate emission levels referred to in Article 4 paragraph 2 and the reasons for any non-achievement. It shall identify the need for further action also considering the sectorial impacts of
implementation.

Justification

To make national emission reduction for 2025 binding.

Amendment 31

Proposal for a directive
Article 10 – paragraph 2

Text proposed by the Commission

2. The reports referred to in paragraph 1 may include an evaluation of the environmental and socioeconomic impacts of this Directive.

Amendment

2. The reports referred to in paragraph 1 shall include an evaluation of the environmental and socioeconomic impacts of this Directive.

Justification

It is important to guarantee that environmental and socioeconomic impacts of this directive are thoroughly examined.

Amendment 32

Proposal for a directive
Article 12

Text proposed by the Commission

The Union and the Member States, as appropriate, shall pursue bilateral and multilateral cooperation with third countries and coordination within relevant international organisations such as the United Nations Environment Programme (UNEP), United Nations Economic Commission for Europe (UNECE), the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO), including through the exchange of information, concerning technical and scientific research and development, with the aim of improving the basis for emission reductions.

Amendment

The Union and the Member States, as appropriate, shall pursue bilateral and multilateral cooperation with third countries and coordination within relevant international organisations such as the United Nations Environment Programme (UNEP), United Nations Economic Commission for Europe (UNECE), the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO), including through the exchange of information, concerning technical and scientific research and development, with the aim of improving the basis for emission reductions. Member
States shall conduct cross-border consultations on mutual threats posed by emissions from adjacent industrial regions in those countries and the Member States concerned shall develop joint plans to eliminate or reduce those emissions.

Justification

Neighbouring Member States should conduct consultations and develop joint plans to eliminate or reduce emissions, particularly in cases where they have industrial regions that are adjacent to one another.

Amendment 33

Proposal for a directive
Article 13 – paragraph 2

Text proposed by the Commission

2. The delegation of power referred to in Articles 6(7), 7(9) and 8(3) shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Directive.

Amendment

2. The delegation of power referred to in Articles 5(3), 6(7), 7(9) and 8(3) shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Directive.

Justification

Technical addition following on from the amendment to Article 5(1) and (3) on the two proposed additional flexibility mechanisms.

Amendment 34

Proposal for a directive
Article 17 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [eighteen months after the entry into force - date to be inserted by OPOCE] at the latest.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [twenty four months after the entry into force - date to be inserted by OPOCE] at the latest.
Justification

It is important to guarantee that Member States have enough time to fully transpose the directive into their national law systems.

Amendment 35

Proposal for a directive
Article 18 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) Article 1 and Annex I until 31 December 2019;

Amendment 36

Proposal for a directive
Annex I – Section A – row 4

Text proposed by the Commission

Amendment

Total national emissions by source category deleted
- CH4

Annual, from 2005 to reporting year minus 2 (X-2)
15/02****

Justification

Proposal to include methane in the Directive from 2030 would go beyond the existing international climate legislation, causing additional regulatory burden for industry and Member States without a corresponding benefit for the environment.

Amendment 37

Proposal for a directive
Annex I – Section C – row 5

Text proposed by the Commission

Amendment

Projected emissions by aggregated source deleted

RR\1071114EN.doc 91/138 PE551.932v02-00
Justification

Proposal to include methane in the Directive from 2030 would go beyond the existing international climate legislation, causing additional regulatory burden for industry and Member States without a corresponding benefit for the environment.

Amendment 38

Proposal for a directive
Annex II – Table a

Text proposed by the Commission

<table>
<thead>
<tr>
<th>Member State</th>
<th>SO₂ reduction compared with 2005</th>
<th>NOₓ reduction compared with 2005</th>
<th>NMVOC reduction compared with 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For any year from 2020 to 2029</td>
<td>For any year from 2020 to 2029</td>
<td>For any year from 2020 to 2029</td>
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<tr>
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<td>68%</td>
<td>41%</td>
</tr>
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</tr>
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<td>Czech Republic</td>
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<td>35%</td>
</tr>
<tr>
<td>Denmark</td>
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<td>58%</td>
<td>56%</td>
</tr>
<tr>
<td>Germany</td>
<td>21%</td>
<td>53%</td>
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<tr>
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<td>71%</td>
<td>18%</td>
</tr>
<tr>
<td>Greece</td>
<td>74%</td>
<td>92%</td>
<td>31%</td>
</tr>
<tr>
<td>Spain</td>
<td>67%</td>
<td>89%</td>
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<tr>
<td>France</td>
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<td>78%</td>
<td>50%</td>
</tr>
<tr>
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<td>Ireland</td>
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</tr>
<tr>
<td>Italy</td>
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<td>75%</td>
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</tr>
<tr>
<td>Cyprus</td>
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<td>95%</td>
<td>44%</td>
</tr>
<tr>
<td>Member State</td>
<td>SO\textsubscript{2} reduction compared with 2005</td>
<td>NO\textsubscript{x} reduction compared with 2005</td>
<td>NMVOC reduction compared with 2005</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------------------------</td>
<td>---------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td></td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
<td>For any year from 2020 to 2024</td>
</tr>
<tr>
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<td>58% 63%</td>
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</tr>
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<td>61% 66%</td>
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<td>53% 39%</td>
<td>63% 69%</td>
</tr>
<tr>
<td>Estonia</td>
<td>32% 70%</td>
<td>71% 18%</td>
<td>55% 61%</td>
</tr>
</tbody>
</table>

Amendment

Table (a): Emission reduction commitments for sulphur dioxide (SO\textsubscript{2}), nitrogen oxides (NO\textsubscript{x}) and non-methane volatile organic compounds (NMVOC). Fuels sold, base year 2005.
<table>
<thead>
<tr>
<th>Country</th>
<th>74%</th>
<th>90%</th>
<th>92%</th>
<th>31%</th>
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<th>72%</th>
<th>54%</th>
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<th>67%</th>
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<tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>69%</td>
<td>30%</td>
<td>57%</td>
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</tr>
<tr>
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<td>47%</td>
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<td>71%</td>
<td>23%</td>
<td>62%</td>
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<tr>
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<td>59%</td>
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<td>69%</td>
<td>28%</td>
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<td>50%</td>
</tr>
</tbody>
</table>

**Justification**

The figures (emission limits) are taken from the Commission impact assessment's 75% gap closure scenario, which according to both the Commission impact assessment and the European Parliament impact assessment, is the most cost efficient option.

**Amendment 39**

Proposal for a directive  
Annex II – table b
Table (b): Emission reduction commitments for ammonia (NH₃), fine particulate matter (PM₂.₅) and methane (CH₄). Fuels sold, base year 2005.

<table>
<thead>
<tr>
<th>Member State</th>
<th>NH₃ reduction compared with 2005</th>
<th>PM₂.₅ reduction compared with 2005</th>
<th>CH₄ reduction compared with 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For any year from 2020 to 2029</td>
<td>For any year from 2020 to 2029</td>
<td>For any year from 2020 to 2029</td>
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<tr>
<td>Belgium</td>
<td>2%</td>
<td>16%</td>
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<td>3%</td>
<td>10%</td>
<td>20%</td>
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<td>Estonia</td>
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<td>Romania</td>
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<td>24%</td>
<td>28%</td>
</tr>
</tbody>
</table>
 Amendment

Table (b): Emission reduction commitments for ammonia (NH3), fine particulate matter (PM2.5) and mercury (Hg). Fuels sold, base year 2005.

<table>
<thead>
<tr>
<th>Member State</th>
<th>NH3 reduction compared with 2005</th>
<th>PM2.5 reduction compared with 2005</th>
<th>Hg reduction compared with 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For any year from 2020 to 2024</td>
<td>For any year from 2025 to 2029</td>
<td>For any year from 2025 to 2029</td>
</tr>
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<td>Slovenia</td>
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<td>30%</td>
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<td>19%</td>
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<tr>
<td>United Kingdom</td>
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<td>30%</td>
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<td>Germany</td>
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<td>46%</td>
<td>39%</td>
</tr>
<tr>
<td>Estonia</td>
<td>1%</td>
<td>23%</td>
<td>8%</td>
</tr>
<tr>
<td>Greece</td>
<td>7%</td>
<td>28%</td>
<td>26%</td>
</tr>
<tr>
<td>Spain</td>
<td>3%</td>
<td>30%</td>
<td>29%</td>
</tr>
<tr>
<td>France</td>
<td>4%</td>
<td>31%</td>
<td>29%</td>
</tr>
<tr>
<td>Croatia</td>
<td>1%</td>
<td>31%</td>
<td>24%</td>
</tr>
<tr>
<td>Ireland</td>
<td>1%</td>
<td>14%</td>
<td>7%</td>
</tr>
<tr>
<td>Italy</td>
<td>5%</td>
<td>29%</td>
<td>26%</td>
</tr>
<tr>
<td>Cyprus</td>
<td>10%</td>
<td>23%</td>
<td>18%</td>
</tr>
<tr>
<td>Latvia</td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Lithuania</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>Luxemburg</td>
<td>1%</td>
<td>25%</td>
<td>24%</td>
</tr>
<tr>
<td>Hungary</td>
<td>10%</td>
<td>38%</td>
<td>34%</td>
</tr>
</tbody>
</table>
The figures (emission limits) are taken from the Commission impact assessment's 75% gap closure scenario, which according to both the Commission impact assessment and the European Parliament impact assessment, is the most cost efficient option.

**Amendment 40**

Proposal for a directive  
Annex III – Part 1 – title

*Text proposed by the Commission*  
*Amendment*

<table>
<thead>
<tr>
<th>MEASURES WHICH MAY BE INCLUDED IN THE NATIONAL AIR POLLUTION CONTROL PROGRAMME</th>
<th>MEASURES WHICH SHALL BE INCLUDED IN THE NATIONAL AIR POLLUTION CONTROL PROGRAMME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malta</td>
<td>4% 26% 24% 25% 79% 80%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>13% 24% 25% 37% 38% 38%</td>
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<tr>
<td>Austria</td>
<td>1% 20% 19% 20% 54% 55%</td>
</tr>
<tr>
<td>Poland</td>
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<td>Portugal</td>
<td>7% 22% 16% 15% 69% 70%</td>
</tr>
<tr>
<td>Romania</td>
<td>13% 29% 24% 28% 61% 65%</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1% 26% 24% 25% 73% 70%</td>
</tr>
<tr>
<td>Slovakia</td>
<td>15% 41% 37% 36% 62% 64%</td>
</tr>
<tr>
<td>Finland</td>
<td>20% 20% 20% 30% 37% 39%</td>
</tr>
<tr>
<td>Sweden</td>
<td>15% 20% 17% 19% 33% 30%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>8% 22% 21% 30% 47% 47%</td>
</tr>
<tr>
<td>EU 28</td>
<td>6% 30% 27% 22% 48% 51%</td>
</tr>
</tbody>
</table>

**Justification**

In case agricultural sector would not contribute to emissions reductions, the other sectors of the economy, including industry and power sector would need to implement more costly measures to attain the same environmental objectives.

**Amendment 41**

Proposal for a directive
Annex III – part 1 – section A – point 1

Text proposed by the Commission

Member States shall establish a national advisory code of good agricultural practice for reducing ammonia emissions, based on the 2001 UNECE Framework Code for Good Agricultural Practice for Reducing Ammonia Emissions\(^3\), covering \textit{at least} the following items:

\[\text{(3) Decision ECE/EB.AIR/75, paragraph 28a}\]

Amendment

Member States shall establish a national advisory code of good agricultural practice for reducing ammonia emissions, based on the 2001 UNECE Framework Code for Good Agricultural Practice for Reducing Ammonia Emissions\(^3\). \textit{The national advisory code may include} the following items:

\[\text{(3) Decision ECE/EB.AIR/75, paragraph 28a}\]

Justification

\textit{It is important that the member states can find the most cost-effective measures themselves. The amendment would give more flexibility.}

Amendment 42

Proposal for a directive


Text proposed by the Commission

3. Member States shall reduce ammonia emissions from inorganic fertilizers by using the following approaches:

3. Member States shall, \textit{to the extent necessary, following the national commitments in Annex II}, reduce ammonia emissions from inorganic fertilizers by using the following approaches:

Justification

\textit{It is important that the member states can find the most cost-effective measures themselves. The amendment would give more flexibility.}

Amendment 43

Proposal for a directive
Annex V – point 1

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Member States shall ensure that their network of monitoring sites is representative of their fresh water, natural and semi-natural ecosystems types.</td>
<td>1. Member States shall ensure that their network of monitoring sites is representative of their fresh water, natural and semi-natural ecosystems types.</td>
</tr>
</tbody>
</table>

*Justification*

*Forests ecosystems are already included in the natural and semi-natural ecosystem types.*
**PROCEDURE**

<table>
<thead>
<tr>
<th>Title</th>
<th>Reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC</th>
</tr>
</thead>
<tbody>
<tr>
<td>References</td>
<td>COM(2013)0920 – C7-0004/2014 – 2013/0443(COD)</td>
</tr>
<tr>
<td>Committee responsible</td>
<td>ENVI</td>
</tr>
<tr>
<td>Date announced in plenary</td>
<td>13.1.2014</td>
</tr>
<tr>
<td>Opinion by</td>
<td>ITRE</td>
</tr>
<tr>
<td>Date announced in plenary</td>
<td>13.1.2014</td>
</tr>
<tr>
<td>Rapporteur</td>
<td>Adam Gierek</td>
</tr>
<tr>
<td>Date appointed</td>
<td>9.9.2014</td>
</tr>
<tr>
<td>Discussed in committee</td>
<td>25.9.2014 21.1.2015</td>
</tr>
<tr>
<td>Date adopted</td>
<td>24.3.2015</td>
</tr>
<tr>
<td>Result of final vote</td>
<td>+: 34  --: 27  0: 2</td>
</tr>
<tr>
<td>Substitutes present for the final vote</td>
<td>Simona Bonafè, Cornelia Ernst, Yannick Jadot, Werner Langen, Morten Messerschmidt, Clare Moody, Dominique Riquet, Inmaculada Rodríguez-Piñero Fernández, Massimiliano Salini, Anne Sander, Maria Spyraški, Paul Tang, Pavel Telička, Anmeleen Van Bossuyt, Cora van Nieuwenhuizen</td>
</tr>
<tr>
<td>Substitutes under Rule 200(2) present for the final vote</td>
<td>Isabella Adinolfi, Ignazio Corrao</td>
</tr>
</tbody>
</table>
OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

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


Rapporteur: Jan Huitema

SHORT JUSTIFICATION

Background - the Commission proposal

This proposal for a Directive on the reduction of national emissions of certain atmospheric pollutants has the goal to “review and update the requirements set out in Directive 2001/81/EC to address the highly significant remaining health risks and environmental impacts posed by air pollution in the Union, and to align Union law with new international commitments following a revision of the Gothenburg Protocol in 2012”. It repeals and replaces that older Directive.

The required impact reductions are set out in the Communication “A Clean Air Programme for Europe”\(^1\). The Commission states that the new reduction commitments for 2030 set out in the proposed Directive are designed to implement the reduction of air quality impacts by 2030 established in that Communication.

The proposal establishes new national emission reduction commitments applicable from 2020 and 2030 for SO\(_2\), NO\(_x\), NMVOC, NH\(_3\), fine particulate matter (PM 2.5) and methane (CH\(_4\)) as well as intermediate emission levels for the year 2025. Furthermore, Member States must limit in 2025 their annual emissions of those pollutants to the levels defined on the basis of a linear reduction trajectory, unless this would require measures entailing disproportionate costs.

Member States are required to adopt their national air pollution control programmes (NAPCPs) describing how their reduction commitments shall be met; they also have to

monitor, where practicable, the adverse impacts of air pollution upon water and terrestrial ecosystems.

Position of the rapporteur

The rapporteur has two major concerns:

1) The inclusion of methane reduction commitments in the NEC Directive is problematic for the agricultural sector. Methane is a greenhouse gas (GHG), which is already covered by the Effort Sharing Decision (Decision 406/2009/EC) in the framework of the EU Climate and Energy package. Methane reduction commitments in the NEC would lead to overregulation and limit the flexibility offered to the Member States in the Effort Sharing Decision. Moreover, trade-offs with animal welfare should also be taken into account. For these reasons, the rapporteur has included an amendment to delete methane from the NEC Directive.

2) The inclusion of excessive ammonia reduction commitments in the NEC Directive also poses problems for the agricultural sector. It has to be reminded that, since 1990, ammonia emissions in the EU have been reduced by almost 30%\(^1\). When determining emission ceilings for ammonia, previous efforts made by Member States to reduce ammonia emissions should, thus, be acknowledged in order to take account of emission reductions and investments already made and not to discourage early movers from taking further action. However, the emission reduction commitments for ammonia laid down in this Directive for 2030 are too excessive.

Therefore, the rapporteur has included an amendment to delete the 2030 reduction commitments for ammonia from Annex II. He suggests that the Commission could, instead, come forward with a proposal containing revised reduction commitments for ammonia, taking account of achievable targets for different Member States, as well as a level playing field.

Other issues

- It should be recognised that the farming community contributes to public goods that go beyond the production of food and which have no direct market value, such as environmental and climate issues.

- It is crucial to underline the existing synergies within the European legislative framework for environmental protection. Reductions of ammonia which have been achieved by different EU policy measures such as the Nitrates Directive and the implementation of national policies to reduce the deposition of ammonia in Natura 2000 areas concerning the Birds and habitat Directive, should be taken into account.

- Ammonia should, furthermore, be exempted from the intermediate targets laid down for 2025. Those intermediate targets prohibit the flexibility of the measures which Member States are taking, besides that there is a difference in predictability regarding the achievement of targets between Member States and sectors.

\(^1\) See Eurostat leaflet about Agriculture, forestry and fishery statistics from 2013, pp. 115-121.
The rapporteur agrees that the impacts on small and micro farms should be taken into account, but he also considers that this should not jeopardise a level playing field.

AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a directive
Recital 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) The seventh Environment Action Programme(^\text{18}) 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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) The seventh Environment Action Programme(^\text{18}) 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 (CAP) 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.</td>
</tr>
</tbody>
</table>

\(^\text{18}\) 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

\(^\text{18}\) Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 "Living well, within the limits of our

**Justification**

*The contribution of agriculture to air quality through measures based on the new CAP, in particular measures in the context of greening, should be taken into account for the evaluation of the impact of agriculture on air quality.*

**Amendment 2**

**Proposal for a directive**

**Recital 5**

*Text proposed by the Commission*

(5) As regards the year 2020 and thereafter, the revised Gothenburg Protocol accepted by the Council in Decision [xxxx/xxxx/EU] sets out new emission reduction commitments, taking the year 2005 as a base year, for each party regarding SO₂, NOₓ, NH₃, NMVOC and fine particulate matter (PM₂.₅), promotes emission reductions of black carbon and calls for the collection and keeping of information on the adverse effects of air pollutant concentrations and depositions on human health and the environment and participation in the effects-oriented programmes under the LRTAP Convention.

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**Amendment**

(5) As regards the year 2020 and thereafter, the revised Gothenburg Protocol accepted by the Council in Decision [xxxx/xxxx/EU] sets out new emission reduction commitments, taking the year 2005 as a base year, for each party regarding SO₂, NOₓ, NH₃, NMVOC and fine particulate matter (PM₂.₅), promotes emission reductions of black carbon and calls for the collection and keeping of information on the adverse effects of air pollutant concentrations and depositions on human health and the environment and participation in the effects-oriented programmes under the LRTAP Convention. *However, the ratification of the revised Gothenburg Protocol is still pending at the European Parliament, the Council and a number of Member States.*

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**Justification**

*The ratification of an amendment to the Gothenburg Protocol is pending at Parliament,*

PE551.932v02-00 104/138 RR\1071114EN.doc
Council and a number of Member States. Parliament is an equal co-legislator on matters subject to the OLP, and hence has the right to amend or reject all parts of Commission proposals, including elements relating to a possible implementation of international agreements, to which Parliament is asked to give its consent. Parliament ought to know also the exact majority required to undertake ratification.

Amendment 3

Proposal for a directive
Recital 8 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(8a) The farming community contributes to public goods that go beyond the production of food and which have no direct market value, such as environmental and climate-related goals. To that extent, farmers should be acknowledged and rewarded within the CAP for their efforts that contribute in reducing the emission of pollutants set out in this Directive.</td>
<td></td>
</tr>
</tbody>
</table>

Justification

The contribution of farmers in preserving public goods, such as air quality, should be acknowledged and rewarded, such as in certification schemes.

Amendment 4

Proposal for a directive
Recital 8 b (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(8b) Permanent and temporary grasslands throughout the 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.</td>
<td></td>
</tr>
</tbody>
</table>

1a

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.

Amendment 5

Proposal for a directive
Recital 8 c (new)

Text proposed by the Commission

(8c) Union 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.

Justification

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

Amendment 6

Proposal for a directive
Recital 9
(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, where applicable, 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.

Justification

This amendment takes into account an amendment to delete ammonia reduction commitments from the provisions on intermediate emission levels. Furthermore, a reduction in ammonia emissions is not expected to be linear with time.

Amendment 7

Proposal for a directive
Recital 9 a (new)

Text proposed by the Commission

(9a) Since 1990, NH₃ emissions in the EU have been reduced by almost 30 %\textsuperscript{1a}. When determining emission ceilings for NH₃, previous efforts to reduce NH₃ made by both individual Member States as well by the agricultural sector in the Union in general should, therefore, be acknowledged. Trade-offs with animal welfare should also be taken into account, such as free stables and pasturing which, though involving more emissions than closed stables, guarantee higher standards of animal welfare.

**Justification**

The farming sector’s baseline is not starting from zero. In any future policy on air quality, reductions already achieved by farmers (and at cost to the sector) should be recognized in order not to discourage early or further action.

**Amendment 8**

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

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(9b) In order to ensure a level playing field across the Union, reductions of atmospheric NH₃ which have been achieved by different Union policy measures such as Council Directive 91/676/EEC¹a and the implementation of national policies to reduce the deposition of NH₃ in Natura 2000 areas, based on Council Directive 92/43/EEC¹b, should be taken into account in the context of the national control programmes set out in this Directive.</td>
<td></td>
</tr>
</tbody>
</table>

---


Justification

From the perspective of better regulation, it is crucial to underline the existing synergies within the European legislative framework for environmental protection.

Amendment 9

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.

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. 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.


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 10

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

Amendment

(12) Member States should adopt and implement a national air pollution control programme which takes into account the various anthropogenic emissions that contribute to increasing greenhouse gases, while making a distinction between industrial and agricultural emissions, 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,
2008/50/EC of the European Parliament and of the Council.\textsuperscript{23} 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.\textsuperscript{23}


\section*{Amendment 11}

\section*{Proposal for a directive}

\section*{Recital 13}

\textit{Text proposed by the Commission}

(13) In order to reduce atmospheric NH\textsubscript{3} and PM\textsubscript{2.5} 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 owning to specific national circumstances.

\textit{Amendment}

(13) In order to reduce atmospheric NH\textsubscript{3} and PM\textsubscript{2.5} emissions from the main contributors, national air pollution control programmes should include measures applicable to the agricultural sector. \textit{Those measures should be cost-effective, based on scientifically obtained data and scientific conclusions whilst taking into account scientific progress and previous measures already implemented by Member States. The development of guidelines on good agricultural practice for using NH\textsubscript{3}, to be exchanged at Union level, would also be desirable in an attempt to reduce these emissions.} Member States should be entitled to implement measures other than those set out in this Directive with an equivalent level of environmental performance owning to specific national circumstances.

\section*{Justification}

\textit{Ammonia emissions from the agricultural sector are subject to biological processes.}
Therefore these emissions are not entirely avoidable. Scientifically based strategies to further minimize these emissions are of utmost importance. There are different approaches to further reduce ammonia emissions from the agricultural sector.

Amendment 12
Proposal for a directive
Recital 18

Text proposed by the Commission

(18) In order to assess the effectiveness of the national emission reduction commitments laid down in this Directive, Member States should also monitor, where practicable, the effects of such reductions in terrestrial and aquatic ecosystems, in accordance with internationally established guidelines and report these effects.

Amendment

(18) In order to assess the effectiveness of the national emission reduction commitments laid down in this Directive, Member States should also monitor, where applicable and practicable, the effects of such reductions in terrestrial and aquatic ecosystems, in accordance with internationally established guidelines and report these effects.

Justification

From the background of better regulation, coherence within the European legislative framework for environment protection is needed, where it is applicable as well as practicable.

Amendment 13
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

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 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.

its preparatory work, in particular with experts and representatives of different sectors and social collectives. 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 14

Proposal for a directive
Article 1

Text proposed by the Commission

Subject matter

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.

Aim of the Directive

The aim of this Directive is to limit atmospheric emissions of harmful, acidifying and eutrophying pollutants, certain ozone-forming air pollutants, primary particulate matter, precursors of secondary particulate matter and other air pollutants in order to effectively protect human health and the environment in the Union against risks of adverse effects from air pollutants, by achieving the long-term objective of not exceeding the World Health Organisation's air quality guidelines nor exceeding critical loads and levels for the protection of the environment, by establishing national emission reduction commitments for the years 2020 and 2030. This requires that national air pollution control programmes be drawn up, adopted and implemented and pollutant emissions and their impacts be monitored and reported.

Justification

The proposal does not describe the objective of the Directive, i.e. which corresponds to Article 1 of the current National Emission Ceilings Directive (2001/81/EC). While the objective is mentioned in recital 7 of the foreword of the proposal, it should also be written into the legally binding text. The objective proposed here is consistent with that already
adopted by the EU in the current National Emission Ceilings Directive and in the 7th Environmental Action Programme.

Amendment 15
Proposal for a directive
Article 3 – point 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. ‘ozone precursors’ mean nitrogen oxides, non-methane volatile organic compounds, <strong>methane, and carbon monoxide</strong>;</td>
<td>2. ‘ozone precursors’ mean nitrogen oxides <strong>and</strong> non-methane volatile organic compounds;</td>
</tr>
</tbody>
</table>

**Justification**

In accordance with the amendments 9, 19, 20 of the rapporteur and the preceding amendment on Article 1, methane emission ceiling is deleted from the proposal. Accordingly, methane and, equally, carbon monoxide (which is not addressed in this proposal) should not be retained in this paragraph.

Amendment 16
Proposal for a directive
Article 3 – point 12 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>12a. &quot;EU source-based air pollution policies&quot;</strong> means Regulations or Directives which, irrespective of the obligations laid down in those Regulations or Directives, have as a goal, whether partially or not, to reduce the emissions of sulphur dioxide (SO₂), nitrogen oxides (NOₓ), non-methane volatile organic compounds (NMVOC), ammonia (NH₃), particulate matter (PM2.5) and methane (CH₄), by undertaking mitigation measures at the source, including at least, but not exclusively, the reductions of emissions accomplished by:</td>
<td></td>
</tr>
<tr>
<td>- Directive 94/63/EC¹a;</td>
<td></td>
</tr>
</tbody>
</table>

¹a
- Directive 97/68/EC\(^{1b}\);
- Directive 98/70/EC\(^{1c}\);
- Directive 1999/32/EC\(^{1d}\);
- Directive 2009/126/EC\(^{1e}\);
- Directive 2004/42/EC\(^{1f}\);
- Directive 2010/75/EU\(^{1l}\);
- Regulation (EC) No 167/2013\(^{1m}\);
- Regulation (EU) No 168/2013\(^{1n}\);
- Directive 2014/94/EU\(^{1o}\);


Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and


Amendment 17

Proposal for a directive
Article 3 – point 12 b (new)

Text proposed by the Commission

Amendment

12b. "critical load" means a quantitative estimate of an exposure to one or more pollutants below which, according to current knowledge, significant adverse
effects on specified sensitive elements of the environment do not occur;

Justification

The definition of “critical load” is linked to texts in the proposed new Articles on “Objective” and on “Review”. It is taken from “Article 3: Definitions” of the current National Emission Ceilings Directive (2001/81/EC) and the 2012 Gothenburg Protocol to the Convention on Long-range Transboundary Air Pollution.

Amendment 18

Proposal for a directive
Article 3 – point 12 c (new)

Text proposed by the Commission

Amendment

12c. "critical level" means the concentration of pollutants in the atmosphere or fluxes to receptors above which, according to current knowledge, direct adverse effects on receptors, such as human beings, plants, ecosystems or materials, may occur;

Justification

The definition of “critical level” is linked to texts in the proposed new Articles on “Objective” and on “Review”. It is taken from “Article 3: Definitions” of the current National Emission Ceilings Directive (2001/81/EC) and the 2012 Gothenburg Protocol to the Convention on Long-range Transboundary Air Pollution.

Amendment 19

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 (SO₂), nitrogen oxides

1. Member States shall limit their annual anthropogenic emissions of sulphur dioxide (SO₂), nitrogen oxides (NOₓ),
(NOx), volatile organic compounds other than methane (NMVOC), ammonia (NH₃), particulate matter (PM₂,₅) and methane (CH₄) in accordance with the national emission reduction commitments applicable from 2020 and 2030, as laid down in Annex II.

**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 20**

**Proposal for a directive**

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

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Without prejudice to paragraph 1, Member States <strong>shall take all the necessary</strong> measures not entailing disproportionate costs to limit their 2025 emissions of SO₂, NOx, NMVOC, NH₃, PM₂,₅ and CH₄. The levels of those emissions shall be determined on the basis of fuels sold, by a <strong>linear</strong> reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.</td>
<td>2. Without prejudice to paragraph 1, Member States <strong>may</strong> take measures not entailing disproportionate costs to limit their 2025 anthropogenic emissions of SO₂, NOx, NMVOC and PM₂,₅. The levels of those emissions shall be determined on the basis of fuels sold, by a reduction trajectory established between their emission levels for 2020 and the emission levels defined by the emission reduction commitments for 2030.</td>
</tr>
</tbody>
</table>

**Justification**

When determining emission ceilings for NH₃, previous efforts made by Member States to reduce NH₃ in the agricultural sector should be acknowledged. 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 that Decision.
Amendment 21
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.

Justification

Introduction of reduction commitments for 2025 represents another administrative and economic burden for operators and administrations. Such kind of objectives should not be obligatory, but rather indicative for the MS to help them in the planning process. Besides, a linear reduction cannot be achieved because of the variations of the emissions by sectors or national emissions, as well as the modifications due to updating of the inventories for the baseline year.

Amendment 22
Proposal for a directive
Article 4 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Where those reasons, according to the Member State involved, consist in the failure to achieve the emission reductions that are intended, or should have been achieved in accordance with paragraphs 1 or 2, by implementing the Union source-based air pollution policy, 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".
Amendment 23

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

Text proposed by the Commission
(da) enteric methane emissions, which are naturally produced when rearing ruminants;

Amendment

Amendment 24

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

Text proposed by the Commission
(db) emissions produced by farms located in disadvantaged mountain areas and outermost regions within the meaning of Regulation (EU) No 1305/2013¹;


Amendment 25

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

Text proposed by the Commission
3a. The Commission shall, by 31 December 2016, present a proposal with revised reduction commitments concerning NH₃. In doing so, the
Commission shall:

(a) ensure a level playing field across the Union;

(b) guarantee further convergence of reduction levels within the Union.

Justification

When determining emission ceilings for NH3, previous efforts made by Member States since 1990 to reduce NH3 in the agricultural sector should be acknowledged. It is important to ensure a level-playing field and further convergence of reduction levels within the Union.

Amendment 26

Proposal for a directive
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to comply with the intermediate emission levels determined for 2025 in accordance with Article 4, paragraph 2, and the national emission reduction commitments set out in Annex II applicable from 2030 onwards for NOX, SO2 and PM2.5, Member States may offset NOX, SO2 and PM2.5 emission reductions achieved by international maritime traffic against NOX, SO2 and PM2.5 emissions released by other sources in the same year, provided that they meet the following conditions:

Justification

Modification in line with the modification proposed in Article 4(2).

Amendment 27

Proposal for a directive
Article 5 – paragraph 2

1. In order to comply with the national emission reduction commitments set out in Annex II applicable from 2030 onwards for NOX, SO2 and PM2.5, Member States may offset NOX, SO2 and PM2.5 emission reductions achieved by international maritime traffic against NOX, SO2 and PM2.5 emissions released by other sources in the same year, provided that they meet the following conditions:
2. Member States may jointly implement their methane emission reduction commitments and intermediate emission levels referred to in Annex II, provided that they meet the following conditions:

(a) they comply with all applicable requirements and modalities enacted under Union legislation, including under Decision n°406/2009/EC of the European Parliament and of the Council.

(b) they have adopted and implemented effective provisions in order to ensure a proper operation of joint implementation.

**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.

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**Amendment 28**

**Proposal for a directive**

**Article 5 – paragraph 4**

- **Text proposed by the Commission**
  
  4. Members States that intend to apply paragraphs 1, 2 and 3 shall inform the Commission by 30 September of the year preceding the reporting year concerned. That information shall include the pollutants and sectors concerned and, where available, the magnitude of the impacts upon national emission inventories.

- **Amendment**
  
  4. Member States that intend to apply paragraphs 1 and 3 shall inform the Commission by 30 September of the year preceding the reporting year concerned. That information shall include the pollutants and sectors concerned and, where available, the magnitude of the impacts upon national emission inventories.
Consequent change of the deletion of paragraph 2 of this article.

Amendment 29

Proposal for a directive
Article 5 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Where the Commission has raised no objections within nine months from the date of receipt of the relevant report referred to in Article 7, paragraphs 4, 5 and 6, the Member State concerned shall consider the use of the flexibility applied to be accepted and valid for that year. Where the Commission considers the use of a flexibility not to be in accordance with the applicable requirements and criteria, it shall adopt a Decision and inform the Member State that it cannot be accepted.

Amendment

Where the Commission has raised no objections within nine months from the date of receipt of the relevant report referred to in Article 7, paragraphs 4, 5 and 6, the Member State concerned shall consider the use of the flexibility applied to be accepted and valid for that year. Where the Commission considers the use of a flexibility not to be in accordance with the applicable requirements and criteria, it shall adopt a Decision and inform the Member State that it cannot be accepted and the reasons for its decision.

Justification

Commission should provide the MS its reasoning for the rejection of the use of flexibilities. This will help MS to improve the use of flexibilities.

Amendment 30

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

1. Member States shall draw up and adopt a national air pollution control programme in accordance with Part 2 of Annex III in order to limit their annual anthropogenic emissions in accordance with Article 4.

Amendment

1. Member States shall draw up and adopt a national air pollution control programme in accordance with Part 2 of Annex III in order to limit their annual anthropogenic emissions in accordance with Article 4, so as not to exceed critical levels that damage public health and the environment, by complying with the
World Health Organisation's air quality guidelines, and by not exceeding critical loads and levels as set out by the LRTAP Convention.

Amendment 31

Proposal for a directive
Article 6 – paragraph 9

Text proposed by the Commission

9. The Commission may also specify the format and the necessary information concerning Member States' national air pollution control programmes in the form of implementing acts. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14.

Amendment

9. The Commission shall also specify the format and the necessary information concerning Member States' national air pollution control programmes in the form of implementing acts. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14.

Justification

In order to ensure a harmonized format of the national air pollution control programmes, an implementing act is necessary.

Amendment 32

Proposal for a directive
Article 7 – paragraph 5

Text proposed by the Commission

5. Member States that opt for the flexibility under Article 5(2) shall provide a separate report allowing the Commission to review and assess whether the requirements of that provision are met.

Amendment

deleted

Justification

Consequent change of the deletion of Article 5(2).
Amendment 33

Proposal for a directive
Article 7 – paragraph 7

Text proposed by the Commission

7. Member States shall establish the emission inventories, including adjusted emission inventories, emission projections and the informative inventory report in accordance with Annex IV.

Amendment

7. Member States shall establish the emission inventories, including if appropriate adjusted emission inventories, emission projections and the informative inventory report in accordance with Annex IV.

Justification

The adjusted emission inventories are established only in case that MS opt for the flexibility provided in Article 5(3).

Amendment 34

Proposal for a directive
Article 9 – paragraph 3

Text proposed by the Commission

3. Member States shall report their national emissions and projections for $\text{CH}_4$ in accordance with Regulation (EU) No 525/2013 of the European Parliament and of the Council.\(^{31}\)

Amendment

deleted

**Justification**

*CH4 emissions are already regulated by climate change legislation. There is no need to include additional provisions in this directive.*

**Amendment 35**

Proposal for a directive  
Article 10 – paragraph 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. The reports referred to in paragraph 1 may include an evaluation of the environmental <em>and</em> socioeconomic impacts of this Directive.</td>
<td>2. The reports referred to in paragraph 1 may include an evaluation of the environmental <em>impact and shall include an exhaustive evaluation of the</em> socioeconomic impacts of this Directive.</td>
</tr>
</tbody>
</table>

**Justification**

*The socioeconomic impacts of the proposal and the Directive should not be optional in the Commission reports mentioned but a mandatory part of the same.*

**Amendment 36**

Proposal for a directive  
Article 10 – paragraph 2 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2a. The Commission shall make those reports publicly available.</td>
<td></td>
</tr>
</tbody>
</table>

**Amendment 37**

Proposal for a directive  
Article 10 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Article 10a</strong></td>
<td></td>
</tr>
</tbody>
</table>

RR\1071114EN.doc 127/138 PE551.932v02-00
Review

The Commission shall review the national emission ceilings set out in this Directive in conjunction with a review of the limits in the Medium Combustion Plant Directive (EU/2015XXX) as well as the 2030 climate and energy targets.

Justification

It is important to get a comprehensive view of synergies between climate and air quality legislation, both possible positive effects such as cost effectiveness, and the risk of any negative effects such as the risk of double regulation. The review of this directive therefore needs to be conducted in conjunction with reviews of other relevant climate and air quality legislation.

Amendment 38

Proposal for a directive

Article 12

Text proposed by the Commission

The Union and the Member States, as appropriate, shall pursue bilateral and multilateral cooperation with third countries and coordination within relevant international organisations such as the United Nations Environment Programme (UNEP), United Nations Economic Commission for Europe (UNECE), the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO), including through the exchange of information, concerning technical and scientific research and development, with the aim of improving the basis for emission reductions.

Amendment

The Union and the Member States, as appropriate, shall pursue bilateral and multilateral cooperation with third countries and coordination within relevant international organisations such as the United Nations Environment Programme (UNEP), United Nations Economic Commission for Europe (UNECE), the Food and Agriculture Organization of the United Nations (FAO), the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO), including through the exchange of information, concerning technical and scientific research and development, with the aim of improving the basis for emission reductions.

Justification

Given the agricultural and geopolitical food security aspects involved in some of the measures of this proposal, coordination and cooperation with the FAO is appropriate and
relevant.

Amendment 39
Proposal for a directive
Annex I – table A – row 3

Text proposed by the Commission

<table>
<thead>
<tr>
<th>Total national emissions by source category</th>
<th>CH₄</th>
<th>Annual, from 2005 to reporting year minus 2 (X-2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CH₄</td>
<td></td>
<td>15/02****</td>
</tr>
</tbody>
</table>

**** Re-submissions due to errors shall be provided within four weeks at the latest and include a clear explanation of the changes made.

Amendment deleted

Justification

The EU Climate and Energy package, Decision 406/2009/EC, also targets methane emissions. As sources of methane emissions are very different from Member State to Member State, specific mitigation measures will be highly dependent on national energy and climate action plans and should not be addressed additionally in the NEC directive.

Amendment 40
Proposal for a directive
Annex I – table C – row 4

Text proposed by the Commission

<table>
<thead>
<tr>
<th>Projected emissions by aggregated source category</th>
<th>CH₄</th>
<th>Biennial reporting, covering every year from year X up to 2030 and, where available, 2040 and 2050</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>15/03</td>
</tr>
</tbody>
</table>
The EU Climate and Energy package, Decision 406/2009/EC, also targets methane emissions. As sources of methane emissions are very different from Member State to Member State, specific mitigation measures will be highly dependent on national energy and climate action plans and should not be addressed additionally in the NEC directive.

Amendment 41
Proposal for a directive
Annex II – table b – title

Text proposed by the Commission
Emission reduction commitments for ammonia (NH₃), fine particulate matter (PM₂.₅) and methane (CH₄). Fuels sold, base year 2005.

Amendment
Emission reduction commitments for ammonia (NH₃) and fine particulate matter (PM₂.₅). Fuels sold, base year 2005.

Justification
The EU Climate and Energy package, Decision 406/2009/EC, also targets methane emissions. As sources of methane emissions are very different from Member State to Member State, specific mitigation measures will be highly dependent on national energy and climate action plans and should not be addressed additionally in the NEC directive.

Amendment 42
Proposal for a directive
Annex II – table b – column 4

Text proposed by the Commission
For any year from 2030

Amendment
deleted

Justification
Since 1990, ammonia emissions in the EU have been reduced by almost 30 %. When
determining emission ceilings for NH3, previous efforts made by Member States to reduce NH3 should therefore be acknowledged.

Amendment 43
Proposal for a directive
Annex II – table b – column 9

Text proposed by the Commission
For any year from 2030

Amendment
deleted

[...]

Justification
This deletion is consistent with other amendments aimed at deleting methane reduction commitments in the NEC directive.

Amendment 44
Proposal for a directive
Annex III – part 1 – introductory part

Text proposed by the Commission

Amendment

\(^1\) Decision 2012/11, ECE/EB/AIR/113/Add. 1

\(^2\) Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and

Justification

“Shall” does not correspond to the title of Part 1: “Measures which may be included in the national air pollution control programme”. Member States should have the flexibility to decide which measures they will be implementing.

Amendment 45

Proposal for a directive
Annex III – part 1 – introductory part – paragraph 1 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>In developing their measures and policies Member States shall:</td>
<td></td>
</tr>
<tr>
<td>(i) comply with the measures for the control of ammonia from agricultural sources set out in Annex IX to the Gothenburg Protocol; and</td>
<td></td>
</tr>
</tbody>
</table>

Justification

The measures set out in Annex III should be consistent with the guidance adopted at UNECE level. Member States should be required to take this into account when deciding on measures.

Amendment 46

Proposal for a directive
Annex III – part 1 – section A – point 1 – point a

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) nitrogen management, taking into</td>
<td></td>
</tr>
<tr>
<td>(a) nitrogen management, taking into</td>
<td></td>
</tr>
</tbody>
</table>
account the full nitrogen cycle;

Amendment 47
Proposal for a directive
Annex III – part 1 – section A – point 1 – point c

Text proposed by the Commission
(c) low-emission manure spreading approaches;

Amendment
(c) low-emission manure spreading approaches including separation into liquids and solids;

Amendment 48
Proposal for a directive
Annex III – part 1 – section A – point 1 – point e

Text proposed by the Commission
(e) low-emission manure processing and composting systems;

Amendment
(e) low-emission manure processing and composting systems including separation into liquids and solids;

Amendment 49
Proposal for a directive
Annex III – part 1 – section C – point 1

Text proposed by the Commission
1. In taking the measures outlined in sections A and B above, Member States should ensure that impacts on small and micro farms are fully taken into account. Member States may, for instance, exempt them from those measures where possible and appropriate in view of the applicable

Amendment
1. In taking the measures outlined in sections A and B above, Member States should ensure that impacts on small and micro farms and farms located in disadvantaged mountain areas are fully taken into account. Member States may, for instance, exempt them from those measures where possible and appropriate in
reduction commitments. View of the applicable reduction commitments, whilst ensuring a level playing field across the Union.

Justification

Impacts on small and micro farms should be taken into account. At the same time a level playing field should also be ensured.

Amendment 50

Proposal for a directive
Annex III – part 2 – point 1 – point a – point i

Text proposed by the Commission
(i) the policy priorities and their relationship to priorities set in other relevant policy areas, including climate change;

Amendment
(i) the policy priorities and their relationship to priorities set in other relevant policy areas, including agriculture, rural economic, industrial, mobility and transport, natural conservation and climate change;

Justification

Overlap and synergies with more than mere climate change policy exist in this matter: agricultural, industry, rural economic and conservation of nature are to be included therefore as well.

Amendment 51

Proposal for a directive
Annex IV – introductory part – paragraph 1

Text proposed by the Commission
For the pollutants referred to in Annex I, other than CH4, Member States shall establish emission inventories, adjusted emission inventories, projections and informative inventory reports using the methodologies adopted by Parties to the LRTAP Convention (EMEP Reporting Guidelines) and are requested to use the

Amendment
For the pollutants referred to in Annex I Member States shall establish emission inventories, adjusted emission inventories, projections and informative inventory reports using the methodologies adopted by Parties to the LRTAP Convention (EMEP Reporting Guidelines) and are requested to use the EMEP/EEA Guidebook referred to
EMEP/EEA Guidebook referred to therein. In addition, supplementary information, in particular the activity data, needed for the assessment of the inventories and projections shall be prepared in accordance with the same guidelines.

Justification

This deletion is consistent with other amendments aimed at deleting methane reduction commitments in the NEC directive.
**PROCEDURE**

<table>
<thead>
<tr>
<th>Title</th>
<th>Reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC</th>
</tr>
</thead>
<tbody>
<tr>
<td>References</td>
<td>COM(2013)0920 – C7-0004/2014 – 2013/0443(COD)</td>
</tr>
<tr>
<td>Committee responsible</td>
<td>ENVI 13.1.2014</td>
</tr>
<tr>
<td>Opinion by</td>
<td>AGRI 13.1.2014</td>
</tr>
<tr>
<td>Rapporteur</td>
<td>Jan Huitema 15.9.2014</td>
</tr>
<tr>
<td>Date adopted</td>
<td>28.5.2015</td>
</tr>
</tbody>
</table>
| Result of final vote | +: 29  
: --: 12  
: 0: 3 |
| Substitutes present for the final vote | Jørn Dohrmann, Emmanouil Glezos, Karin Kadenbach, Momchil Nekov, Stanislav Polčák, Annie Schreijer-Pierik, Ricardo Serrão Santos, Hannu Takkula, Vladimir Urutchev |
**PROCEDURE**

<table>
<thead>
<tr>
<th>Title</th>
<th>Reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC</th>
</tr>
</thead>
<tbody>
<tr>
<td>References</td>
<td>COM(2013)0920 – C7-0004/2014 – 2013/0443(COD)</td>
</tr>
<tr>
<td>Date submitted to Parliament</td>
<td>18.12.2013</td>
</tr>
<tr>
<td>Committee responsible Date announced in plenary</td>
<td>ENVI 13.1.2014</td>
</tr>
<tr>
<td>Not delivering opinions Date of decision</td>
<td>TRAN 16.7.2014 REGI 22.9.2014</td>
</tr>
<tr>
<td>Rapporteurs Date appointed</td>
<td>Julie Girling 16.7.2014</td>
</tr>
<tr>
<td>Date adopted</td>
<td>15.7.2015</td>
</tr>
</tbody>
</table>
| Result of final vote | +: 38  
−: 28  
0: 2 |
| Substitutes present for the final vote | Paul Brannen, Nicola Caputo, Fredrick Federley, James Nicholson, Marit Paulsen, Gabriele Preuß, Keith Taylor |
| Substitutes under Rule 200(2) present for the final vote | Lucy Anderson, Malin Björk, Jiří Maštálka |
## Final Vote by Roll Call in Committee Responsible

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td><strong>38</strong></td>
<td><strong>+</strong></td>
</tr>
<tr>
<td>ALDE</td>
<td>Catherine Beauder, José Inácio Faria, Fredrick Federley, Gerben-Jan Gerbrandy, Anneli Jäätteenmäki, Valentinas Mazuronis, Marit Pausen</td>
</tr>
<tr>
<td>EFDD</td>
<td>Marco Affronte, Eleonora Evi, Pernicola Pedicini</td>
</tr>
<tr>
<td>GUE/NGL:</td>
<td>Malin Björk, Lynn Boylan, Stefan Eck, Kateřina Konečná, Jiří Maštálka</td>
</tr>
<tr>
<td>VERTS/ALE:</td>
<td>Bas Eickhout, Benedek Jávor, Michèle Rivasi, Davor Škrlec, Keith Taylor</td>
</tr>
</tbody>
</table>

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<tbody>
<tr>
<td><strong>28</strong></td>
<td><strong>-</strong></td>
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<tr>
<td>ECR:</td>
<td>Jorn Dohrmann, Ian Duncan, Julie Girling, James Nicholson, Boleslaw G. Piecha, Marcus Pretzell, Jadwiga Wiśniewska</td>
</tr>
<tr>
<td>ENF:</td>
<td>Mireille D’Ornano, Sylvie Goddyn, Jean-François Jalkh</td>
</tr>
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<tbody>
<tr>
<td><strong>2</strong></td>
<td><strong>0</strong></td>
</tr>
<tr>
<td>PPE:</td>
<td>Karl-Heinz Florenz, Giovanni La Via</td>
</tr>
</tbody>
</table>

**Key to symbols:**
- **+**: in favour
- **-**: against
- **0**: abstention