

WRITTEN QUESTION E-5239/08
by Jules Maaten (ALDE)
to the Commission

Subject: Derogation requests for air quality

According to reports one Member State has so far given the Commission an opinion on the state of its air quality and the steps that are being taken to ensure that, where levels are found to have been exceeded, they are promptly brought below the permitted limit values. For places where this cannot be achieved promptly the Member State is requesting a reprieve in accordance with the agreements. The measures taken and those to be taken represent a considerable (financial) commitment by both public and private parties and draw heavily on their ability to compete.

1. Must all Member States report to the Commission on their air quality and any improvement measures required, irrespective of the present state and likely prospects for their air quality (already complies fully – at present complies fully – needs a deferment), or does the Commission assume that only Member States contending with an inadequate air quality should report to it and if need be request deferment?
2. Which Member State or States have reported and from which Member State or States is the Commission still awaiting reports?
3. Is it permissible to conclude from the non-receipt of such reports that the Member State or States concerned do not expect any values to be exceeded in their territory or regions?
4. How can it be explained, in view of the widespread existence of regions with heavy concentrations of traffic, industry and housing, that one Member State is, and the other is clearly not expecting to exceed the values? Does this concern circumstances specific to the Member State, and if so, are those circumstances of an actual or a policy nature? If they are policy issues, will the Commission draw this to the Member State's attention and ask it to correct this aspect?
5. By what date must the report be presented and/or the request be submitted?
6. Does the Commission have cause to assume that there are Member States where the air quality is everywhere compliant with the specified quality requirements?
7. How will the Commission be dealing with Member States that can indeed expect to exceed the values and do not produce a report, or produce it in time and/or submit a request for deferment?
8. How does it set about verifying the reported quality level and monitoring the measures that are announced?
9. In its Communication on notifying postponements, COM(2008)0403, the Commission states amongst other things that it is important 'to ensure equal treatment when it comes to implementation of Community legislation. Zones where significant efforts have been made to comply with the limit values by the date set for attaining them should not be put at a competitive disadvantage against zones where, though needed, no such effort has been made'. In what way, and by what means, does the Commission set about ensuring equal treatment when it comes to implementation of Community legislation?