

WRITTEN QUESTION P-1760/09  
by Jean Lambert (Verts/ALE)  
to the Commission

Subject: Companies with limit values for nitrogen dioxide

It has been reported that hundreds of local authorities in the United Kingdom (UK) are currently exceeding the EU limit values for nitrogen dioxide (NO<sub>2</sub>) which will come into force in January 2010 (Directive 1999/30/EC<sup>1</sup>). Traffic fumes on certain stretches of roads breach safety levels in some 95% of zones and agglomerations in the UK.

A recent assessment by the UK's Department for Environment, Food and Rural Affairs (Defra) reveals that the UK is unlikely to comply with EU legislation which stipulates that it must cut NO<sub>2</sub> emissions to safe levels by January 2010. Furthermore, the UK does not seem to have any contingency plan to ensure at a minimum that Article 22(3) of Directive 2008/50/EC<sup>2</sup> on ambient air quality and cleaner air for Europe is complied with in full if the time extension provisions are applied. Unless pre-emptive action is taken now, it seems likely that the UK will be subject to legal action in the period leading up to the London 2012 Summer Olympics for breaching air quality laws. While this may be necessary to force compliance, action delayed unnecessarily to that time would be most embarrassing for Europe.

On two major stretches of road in London, current levels of NO<sub>2</sub> exceed 95 micrograms per cubic metre (mg/m<sup>3</sup>) which is over twice the World Health Organisation backed legal standard of 40 mg/m<sup>3</sup> from January 2010. As pointed out in your reply to my previous question P-6920/08, NO<sub>2</sub> levels are also of major concern in the area around Heathrow, and sustainable compliance with NO<sub>2</sub> levels in this area will be an even bigger challenge if expansion of the airport goes ahead.

Please will the Commission confirm that the 'UK report on plans and programmes to meet EU air quality limit values (reporting year 2006)' has complied fully with all of the legal requirements for such a submission, including the provisions of Annex IV of the Air Quality Framework Directive (96/62/EC<sup>3</sup>) and the subsequent 2004/224/EC<sup>4</sup> Commission Decision?

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<sup>1</sup> OJ L 163, 29.6.1999, p. 41.

<sup>2</sup> OJ L 152, 11.6.2008, p. 1.

<sup>3</sup> OJ L 296, 21.11.1996, p. 55.

<sup>4</sup> OJ L 68, 6.3.2004, p. 27.