



**2022/0347(COD)**

25.5.2023

# OPINION

of the Committee on Transport and Tourism

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

on the proposal for a directive of the European Parliament and of the Council  
Proposal for a Directive of the European Parliament and of the Council on  
ambient air quality and cleaner air for Europe (recast)  
(COM2022 – C9-0364/2022 – 2022/0347(COD))

Rapporteur for opinion: Vera Tax

PA\_Legam

## SHORT JUSTIFICATION

All people have a right to breathe clean air. Air pollution is one of the most serious forms of pollution, which often persists for long periods of time with devastating long-term effects on human health, the environment and society as a whole.

Air pollution continues to be the number one environmental cause of early death in the European Union. Every year, approximately 300 000 persons die prematurely due to air pollution, and many more suffer from a significant number of noncommunicable diseases such as asthma, cardiovascular problems, chronic obstructive pulmonary disease and lung cancer. Women, children, the elderly, residents in heavily polluted areas and workers exposed to high levels of pollution in their daily lives, not least in the transport sector, are particularly impacted.

As one of the main sources of air pollution, the transport sector plays a particularly important role in the Union's efforts to improve air quality. Shifting to zero-emission technologies, vehicles and fuels is imperative to reduce transport-induced emissions and air pollutant concentrations, notably in urban areas and in ports.

Change is possible. Political will, investments and efficient policies are necessary to deliver the societal and industrial changes that are required to tangibly reduce and eliminate air pollution.

The European Union has succeeded in reducing the concentration of air pollutants over the past two decades. The continued and improved reduction of air pollution benefits both the wellbeing of humans and the environment and at societal level the benefits far outweigh the costs involved. Since the year 2000, air polluting emissions in the EU have decreased significantly thanks to EU and national legislation, whilst the registered GDP has grown by approximately 30 percent. Hence, the Union has successfully decoupled the reduction of air pollution and economic growth.

However, while the measures taken have resulted in overall emissions reductions, exceedances of some of the most harmful pollutants are still widespread and persistent. Therefore, it is necessary to revise and update of the main EU air quality policy instruments - the ambient air quality directives (AAQDs).

The 2019 AAQDs fitness check conducted by the European Commission has identified a string of deficiencies that hamper the full potential of the directives to bring about the intended results. To this end, the current revision seeks to address the following key weaknesses of these policy instruments;

- a) legislative simplification by merging the two directives into one;
- b) alignment of EU air quality standards more closely with most recent WHO recommendations;
- c) improvement of the legislative framework notably with regards to air quality assessment and monitoring, governance and enforcement as well as penalties, public information and access to justice and compensation;

Your Rapporteur welcomes this much-needed systemic update of the AAQDs, not least with

regards to the ongoing trend of increased urbanisation in all Member States which carries with it the inherent risk of even more air pollution linked to growing transportation and industrial output. The AAQDs revision will only be successful if it is closely linked to the objectives of the European Green Deal, the Zero Pollution Action Plan as well as ongoing and planned policies enhancing the sustainability and greening the transport sector. To this end, your Rapporteur proposes a number of amendments that intend to strengthen those aspects of the new directive, specifically in relation to transport-related measures.

This includes strengthening the transport-related elements that will be part of the information included in Member States' air quality plans for the improvement of ambient air quality. Notably, where the transport sector is part of the emission sources responsible for pollution, information on air pollution shall be broken down and reported per each mode of transport.

Member States shall also be obliged to report on all air pollution abatement measures that stem from the reduction of emissions from road, maritime, and air transport through the use of alternative fuels and deployment of alternative fuels infrastructure, as well as the use of economic incentives to accelerate their take-up.

Furthermore, information shall be provided on all measures to reduce air pollution in hotspots, including in ports, notably through the deployment of on-shore power infrastructure for ships at berth, as well as measures to better protect the health of workers who are exposed to unhealthy levels of air pollution in their profession. Also information regarding existing and planned zero-emission zones and data relevant for the reductions of emissions and pollutant concentrations contained in Sustainable Urban Mobility Plans shall be provided.

Your Rapporteur believes it is necessary to improve the functioning of the sampling points for air pollutants, especially in locations where pollution levels are predominately determined by concentrations of traffic emissions from nearby roads.

Moreover, your Rapporteur agrees on the importance of ensuring that the information collected on air pollution is sufficiently representative and comparable across the Union. Therefore, the Commission should adopt guidance and templates concerning the content, structure and format of the Member States' air quality indexes.

In order to ensure that the AAQDs are fully aligned with the latest scientific findings on air pollutants, your Rapporteur proposes that the Commission regularly commissions an independent review of the scientific evidence related to air pollutants and their effects on human health and the environment. The World Health Organization shall be closely involved in this process.

Finally, the Rapporteur considers it extremely important that citizens in the Union have the same opportunities to access information and data on air pollution and can have access to justice as a group or individual. A solid framework that allows a swift pathway for citizens to claim compensation is required. The Rapporteur welcomes the conditions to access justice presented by the Commission, but emphasises that this will only be an effective and reliable tool if the conditions work in practice in the daily lives of citizens.

## AMENDMENTS

### Amendment 1

#### Proposal for a directive Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2a) In December 2020, the Commission presented its Sustainable and Smart Mobility Strategy, advocating for increasing the modal shares of collective transport, walking and cycling, as well as automated, connected and multimodal mobility, in order to significantly lower pollution and congestion from transport, especially in cities, and improve the health and well-being of citizens.***

### Amendment 2

#### Proposal for a directive Recital 2 b (new)

*Text proposed by the Commission*

*Amendment*

***(2b) In the 2005 impact assessment prior to the proposal of the current Ambient Air Quality directive, the Commission assessed the direct costs of complying with their proposal for the directive at between €5 and €8 billion, and the monetised health benefits at between €37 to €119 billion per annum in 2020, thereby concluding that benefits of the air quality policy greatly exceeded implementation cost.***

### Amendment 3

#### Proposal for a directive Recital 4

(4) The Zero Pollution Action Plan also sets out a vision for the year 2050, where air pollution is reduced to levels no longer considered harmful to health and natural ecosystems. To this end, a ***staged*** approach towards setting current and future EU air quality standards should be pursued, establishing intermediate air quality standards for the year 2030 and beyond, ***and developing a perspective for*** alignment with the WHO Air Quality Guidelines by ***the year*** 2050 at the latest based on a regular review mechanism to take into account the latest scientific understanding. Given the links between pollution reduction and decarbonisation, the long-term objective to achieve the zero pollution ambition should be pursued hand in hand with reduction of greenhouse gas emissions as set by Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>42</sup>.

(4) The Zero Pollution Action Plan also sets out a vision for the year 2050, where air pollution is reduced to levels no longer considered harmful to health and natural ecosystems. To this end, a ***progressive*** approach towards setting current and future EU air quality standards should be pursued, establishing intermediate air quality standards for the year 2030 and beyond, ***ensuring the full alignment of EU air quality standards*** with the WHO Air Quality Guidelines ***as soon as possible and*** by 2050 at the latest, based on a regular review mechanism to take into account the latest scientific understanding. ***Since transport emissions are the main source for air pollution in urban and coastal environment and*** given the links between pollution reduction and decarbonisation, the long-term objective to achieve the zero pollution ambition should be pursued hand in hand with reduction of greenhouse gas emissions as set by Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>42</sup> ***and through the implementation of the ‘Fit for 55’ legislative package and its relevant effects on air pollution.***

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<sup>42</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’) (OJ L 243, 9.7.2021, p. 1–17).

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<sup>42</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 (‘European Climate Law’) (OJ L 243, 9.7.2021, p. 1–17).

#### **Amendment 4**

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

*Text proposed by the Commission*

*Amendment*

***(4a) In September 2021, the World Health Organization (WHO) released new Air Quality Guidelines, based on a comprehensive synthesis of the scientific evidence on health effects of air pollution. This Directive takes into account the latest scientific understanding on the need to fully align the Union air quality standards with the most recent WHO guidelines in order to fulfil the overall objectives of the Zero Pollution Action Plan.***

## **Amendment 5**

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

*Text proposed by the Commission*

*Amendment*

***(4 a) The societal benefits of continued and improved reduction of air pollution far outweigh the costs involved. Since the year 2000, air-polluting emissions in the EU have decreased significantly thanks to Union and national legislation, whilst the registered GDP has grown by approximately 30 percent. Hence, the Union has successfully decoupled the reduction of air pollution from economic growth.<sup>1a</sup>***

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<sup>1a</sup> ***EEA Report No 9/2020  
(<https://www.eea.europa.eu/publications/air-quality-in-europe-2020-report>)***

## **Amendment 6**

### **Proposal for a directive Recital 5**

(5) In taking the relevant measures at Union and national level to achieve the zero pollution objective for air pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’ and the ‘polluter pays principle’ established in the Treaty on the Functioning of the European Union, and the ‘do no harm’ principle of the European Green Deal. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment, the well-being of citizens, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy poverty; food security and affordability; the development of sustainable and smart mobility and transport solutions; the impact of behavioural changes; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through appropriate education and training programmes; best available and most recent scientific evidence, in particular the findings reported by the WHO; the need to integrate air pollution related risks into investment and planning decisions; cost-effectiveness and technological neutrality in achieving air pollutant emission reductions; and progression over time in environmental integrity and level of ambition.

(5) In taking the relevant measures at Union and national level to achieve the zero pollution objective for air pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’ and the ‘polluter pays principle’ established in the Treaty on the Functioning of the European Union, and the ‘do no harm’ principle of the European Green Deal. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment, the well-being of citizens, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy **and transport** poverty; food security and affordability; the development of sustainable and smart mobility and **the modal shift towards such** transport solutions **as well as their infrastructure, including alternative fuel infrastructure; economic incentives for individuals and companies to invest in vehicles with lower air pollution emissions**; the impact of behavioural changes; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through appropriate education and training programmes, **since low-income and vulnerable groups tend to be disproportionately affected by pollution**; best available and most recent scientific evidence, in particular the findings reported by the WHO; the need to integrate air pollution<sup>1a</sup> related risks into investment and planning decisions; cost-effectiveness and technological neutrality in achieving air pollutant emission reductions; and progression over time in environmental

integrity and level of ambition.

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1a

<https://www.eea.europa.eu/publications/unequal-exposure-and-unequal-impacts>  
<https://airqualitynews.com/health/air-pollution-has-twice-the-impact-on-lung-function-for-lower-income-households/>  
[https://www.london.gov.uk/sites/default/files/aether\\_updated\\_london\\_air\\_pollution\\_exposure\\_final.pdf](https://www.london.gov.uk/sites/default/files/aether_updated_london_air_pollution_exposure_final.pdf)

## Amendment 7

### Proposal for a directive

#### Recital 7

*Text proposed by the Commission*

(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment and technological development. Based on the review, the Commission should assess whether applicable air quality standards are still appropriate to achieve the objectives of this Directive. The first review should be carried out by 31/12/2028 to assess whether air quality standards need to be updated based on the latest scientific information.

*Amendment*

(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment and technological development. Based on the review, the Commission should assess whether applicable air quality standards are still appropriate to achieve the objectives of this Directive. The first review should be carried out by 31/12/2028 to assess whether air quality standards need to be updated based on the latest scientific information. ***The assessment should take into account the latest scientific knowledge on pollutants of emerging concerns and assess the opportunity to include air quality standards on those pollutants in the regulation.***

## Amendment 8

### Proposal for a directive

#### Recital 8

*Text proposed by the Commission*

(8) A common approach to the assessment of ambient air quality should be followed by applying common assessment criteria. When assessing ambient air quality, account should be taken of the size of populations and ecosystems exposed to air pollution. It is therefore appropriate to classify the territory of each Member State into zones reflecting the population density.

*Amendment*

(8) A common approach to the assessment of ambient air quality should be followed by applying common assessment criteria. When assessing ambient air quality, account should be taken of the size of populations and ecosystems exposed to air pollution. It is therefore appropriate to classify the territory of each Member State into zones reflecting the population density **and spatial diversity**

**Amendment 9**

**Proposal for a directive  
Recital 11**

*Text proposed by the Commission*

(11) It is important that pollutants of emerging concern, such as ultrafine particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in order to support scientific understanding of their effects on health and the environment, as recommended by the WHO.

*Amendment*

(11) It is important that pollutants of emerging concern, such as ultrafine particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in order to support **further** scientific understanding of their effects on health and the environment, as recommended by the WHO, **and that, where found necessary, appropriate limit values for these pollutants are established.**

**Amendment 10**

**Proposal for a directive  
Recital 13**

*Text proposed by the Commission*

(13) In order to ensure that the information collected on air pollution is sufficiently representative and comparable across the Union, it is important that standardised measurement techniques and common criteria for the number and location of measuring stations are used for

*Amendment*

(13) In order to ensure that the information collected on air pollution is sufficiently representative and comparable across the Union, it is important that standardised measurement techniques and common criteria for the number and location of measuring stations are used,

the assessment of ambient air quality. Techniques other than measurements can be used to assess ambient air quality and it is therefore necessary to define criteria for the use and required accuracy of such techniques.

***based on Commission detailed guidelines,*** for the assessment of ambient air quality. Techniques other than measurements can be used to assess ambient air quality and it is therefore necessary to define criteria for the use and required accuracy of such techniques.

## Amendment 11

### Proposal for a directive Recital 15

#### *Text proposed by the Commission*

(15) In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission reduction measures at local, national and Union level , in particular when it comes to emissions from agriculture, industries, transport and energy generation . Therefore, emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards set for ambient air quality taking into account relevant World Health Organization standards, guidelines and programmes.

#### *Amendment*

(15) In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission reduction measures, ***for each category of the source of pollutants,*** at local, national and Union level , in particular when it comes to emissions from agriculture, industries, transport and energy generation . Therefore, emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards set for ambient air quality taking into account relevant World Health Organization standards, guidelines and programmes. ***Member States should collect data on measures and technologies to combat emissions of harmful air pollutants and make available information on best practices.***

## Amendment 12

### Proposal for a directive Recital 15 a (new)

***(15 a) Member States should carry out regular transport infrastructure quality checks to identify the areas in need of decongestion and infrastructure optimisation and take appropriate measures in those areas, with the support of EU funding where applicable.***

### **Amendment 13**

#### **Proposal for a directive Recital 19**

(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC)<sup>45</sup> has shown that limit values are more effective in bringing down pollutant concentrations than ***target values***. With the aim of minimising harmful effects on human health, paying particular attention to vulnerable groups and sensitive populations, and the environment limit values should be set for the concentration of sulphur dioxide, nitrogen dioxide, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air. Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air.

(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC) has shown that limit values are more effective in bringing down pollutant concentrations than ***other types of air quality standards***. With the aim of minimising harmful effects on human health, paying particular attention to vulnerable groups and sensitive populations, and the environment limit values should be set for the concentration of sulphur dioxide, nitrogen dioxide, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air. Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air.

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<sup>45</sup> Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).

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<sup>45</sup> Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).

### **Amendment 14**

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

*Text proposed by the Commission*

*Amendment*

***(21 a) To prevent any exceedance of air pollution levels and to improve information to the public, an early warning system (EWS), including modelling tools and stress tests, should be established to identify any air quality problems in a Member State before they become systemic and risk that the concentrations of the pollutants are exceeded;***

**Amendment 15**

**Proposal for a directive**  
**Recital 25**

*Text proposed by the Commission*

*Amendment*

(25) Air quality status should be maintained where it is already good, or improved. Where the standards for ambient air quality laid down in this Directive are at risk of not being met, or have not been met, Member States should take immediate action in order to comply with the limit values, average exposure reduction obligations and critical levels, and where possible, to attain the ozone target values and long-term objectives.

(25) Air quality status should be maintained where it is already good, or improved. Where the standards for ambient air quality laid down in this Directive are at risk of not being met, or have not been met. ***The Commission should draft recommendations with short- and long-term measures based on the source and category of pollution and*** Member States should take immediate ***and continuous*** action in order to comply with the limit values, average exposure reduction obligations and critical levels, and where possible, to attain the ozone target values and long-term objectives. ***Members States should notify the Commission of the immediate and continuous actions taken in accordance with the procedure included in this Directive.***

## **Amendment 16**

### **Proposal for a directive Recital 25 a (new)**

*Text proposed by the Commission*

*Amendment*

***(25 a) Air quality plans should include provisions for the reduction of voluntary idling of vehicles in order to reduce the emissions related to such idling.***

## **Amendment 17**

### **Proposal for a directive Recital 28 c (new)**

*Text proposed by the Commission*

*Amendment*

***(28c) The impact of maritime transport, particularly sulphur dioxide emissions, on the environment and on coastal communities, both in terms of ecosystem damage and public health could be alleviated with a comprehensive electrification of short-distance and urban maritime transport, in addition to zero-emission-requirements and infrastructure at berth.***

## **Amendment 18**

### **Proposal for a directive Recital 28 d (new)**

*Text proposed by the Commission*

*Amendment*

***(28d) For the Mediterranean, implementation of a SECA zone was agreed at IMO level recently. While sulphur dioxide pollution is the most detrimental part of exhausts of maritime transport, NO<sub>x</sub> should not be forgotten. The European Union should therefore work further at IMO level to succeed in declaring the Mediterranean a NECA***

*zone. NECA zones are effective in decreasing air pollution as the experience from North and Baltic Sea shows.*

## **Amendment 19**

### **Proposal for a directive Recital 29 a (new)**

*Text proposed by the Commission*

*Amendment*

***(29 a) In cases of significant transboundary air pollution caused by exceptional and unforeseen occurrences such as accidents or force majeure events in a third country, any exceedances due in whole or in part to such transboundary air pollution may, under the conditions laid down in this Directive, be subtracted by Member States when assessing compliance with air quality limit values and average exposure reduction obligations. The Member State should inform the Commission of any such subtractions and justify its reasons for them.***

## **Amendment 20**

### **Proposal for a directive Recital 29 b (new)**

*Text proposed by the Commission*

*Amendment*

***(29 b) Transboundary pollution requires transboundary cooperation and solutions. Therefore, with a view to further strengthen cooperation with third countries, the Commission shall consider setting up a Structured Dialogue on transboundary air pollution between the Union and neighbouring third countries, to encourage and operationalise increased joint action to reduce transboundary air pollution and to stimulate the exchange of***

*best practices and tangible solutions.*

## **Amendment 21**

### **Proposal for a directive Recital 30 a (new)**

*Text proposed by the Commission*

*Amendment*

***(30 a) Air pollutants emitted from the transport sector pose a particular risk to the health of people living in urban areas and near transport hubs. Therefore, Member States and the relevant regional and local authorities should consider implementing Sustainable Urban Mobility Plans and invest in zero-emission technologies and measures enabling a shift towards active, collective and sustainable transport systems aimed to reducing air pollution and road congestion, especially in urban areas.***

## **Amendment 22**

### **Proposal for a directive Recital 30 b (new)**

*Text proposed by the Commission*

*Amendment*

***(30 b) Relevant EU transport legislation such as European vehicle emission standards is instrumental to further reduce ambient air pollution from the transport sector and should be aligned with the objectives under the European Green Deal and the Zero Pollution Action Plan. Also the deployment of alternative fuels infrastructure, notably the provisions in the Alternative Fuels Infrastructure Regulation pertaining to the deployment of shore-side electricity supply to ships in ports, as well as the deployment of electric recharging infrastructure for light- and heavy-duty vehicles, can deliver ambient air pollution reductions, particularly in urban areas***

*and ports.*

## Amendment 23

### Proposal for a directive

#### Recital 30 c (new)

*Text proposed by the Commission*

*Amendment*

***(30 c) Air pollution from maritime transport alone leads to over 50,000 premature deaths annually in the Union<sup>1b</sup>. Therefore, Member States should take appropriate and effective measures to reduce air pollution in port and in port cities, in order to ensure an adequate protection of the health of residents and port workers.***

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<sup>1b</sup> ***Brandt, J., Silver, J. D., and Frohn, L. M., Assessment of Health-Cost Externalities of Air Pollution at the National Level using the EVA Model System, CEEH Scientific Report No 3, 2011***

## Amendment 24

### Proposal for a directive

#### Recital 31

*Text proposed by the Commission*

*Amendment*

(31) Air quality plans should be developed and updated for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values, ozone target values or average exposure reduction obligations. Air pollutants are emitted from many different sources and activities. To ensure coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared pursuant to Directive 2010/75/EU 2001/80/EC of the European Parliament

(31) Air quality plans should be developed and updated for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values, ozone target values or average exposure reduction obligations. Air pollutants are emitted from many different sources and activities, ***including the transport, industry, energy, agriculture and waste sectors***. To ensure coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared

and of the Council<sup>48</sup>, Directive (EU) 2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council<sup>49</sup>.

pursuant to Directive 2010/75/EU 2001/80/EC of the European Parliament and of the Council, Directive (EU) 2016/2284 **of the European Parliament and of the Council**, and Directive 2002/49/EC of the European Parliament and of the Council.

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<sup>48</sup> **Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).**

<sup>49</sup> **Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12.)**

## **Amendment 25**

### **Proposal for a directive Recital 32**

*Text proposed by the Commission*

(32) Air quality plans should also be prepared ahead of 2030 where there is a risk that Member States will not attain the limit values or ozone target value by that date in order to ensure that levels of pollutants are reduced accordingly.

*Amendment*

(32) Air quality plans should also be prepared ahead of 2030 where there is a risk that Member States will not attain the limit values or ozone target value by that date in order to ensure that levels of pollutants are reduced accordingly. ***The Commission should provide recommendations to Member States on the preparation of those plans.***

## **Amendment 26**

### **Proposal for a directive Recital 33**

*Text proposed by the Commission*

(33) Action plans should be drawn up indicating the measures to be taken in the short term where there is a risk of an exceedance of one or more alert thresholds in order to reduce that risk and to limit its duration. When the risk applies to one or more limit values or target values, Member States may, where appropriate, draw up such short-term action plans.

*Amendment*

(33) Action plans should be drawn up indicating the measures to be taken in the short term where there is a risk of an exceedance of one or more alert thresholds in order to reduce that risk and to limit its duration. When the risk applies to one or more limit values or target values, Member States may, where appropriate, draw up such short-term action plans. ***Those plans should take into account best practice recommendations from the Commission.***

**Amendment 27**

**Proposal for a directive**

**Recital 34**

*Text proposed by the Commission*

(34) Member States should cooperate with one another if, following significant pollution originating in another Member State, the level of a pollutant exceeds, or is likely to exceed, any limit value, ozone target value, average exposure reduction obligation or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, may require coordination between neighbouring Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public. Where appropriate, Member States should pursue cooperation with third countries, with particular emphasis on the early involvement of candidate countries. The Commission should be ***timely informed of and invited to*** assist ***in*** any such cooperation.

*Amendment*

(34) Member States should cooperate with one another if, following significant pollution originating in another Member State, ***based also on transboundary measurements data***, the level of a pollutant exceeds, or is likely to exceed, any limit value, ozone target value, average exposure reduction obligation or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, may require coordination between neighbouring Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public. ***The Commission should provide support and assistance, including recommendations, in the preparation of these plans.*** Where appropriate, Member States should pursue cooperation with third countries, with particular emphasis on the early involvement of candidate countries. The Commission should be ***present***, assist ***and oversee*** any such cooperation.

## Amendment 28

### Proposal for a directive Recital 34 a (new)

*Text proposed by the Commission*

*Amendment*

***(34 a) In order to facilitate cooperation and increase the support to Member States in cases of transboundary pollution, a Commission representative should be appointed as European Transboundary Coordinator, who should oversee and assist in the transboundary coordination between Member States as well as with third countries, and in all tasks relevant to this.***

## Amendment 29

### Proposal for a directive Recital 35

*Text proposed by the Commission*

*Amendment*

(35) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air as well as air quality plans and short-term action plans should also be readily available to the public.

(35) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air, ***per category of the source of pollutants***, as well as air quality plans and short-term action plans should also be readily available to the public. ***In order for such information to be consistent and reliable, it is essential that Member States have sufficient air quality monitoring infrastructure deployed across cities and towns, in accordance with this Directive. Where such infrastructure is lacking or does not comply with the requirements laid down in the Commission guidelines,***

*it should be put in place at the earliest possibility, including with the use of the EU funding opportunities.*

## Amendment 30

### Proposal for a directive Recital 39

#### *Text proposed by the Commission*

(39) As clarified by the case-law of the Court of Justice<sup>51</sup>, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice<sup>52</sup>, effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or a competent independent and impartial body to order interim measures to prevent a given instance of pollution. Therefore, it should be specified that legal standing should not be made conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

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<sup>51</sup> Case C-826/18, Judgment of the Court (First Chamber) of 14 January 2021; LB and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren; paragraphs 58 and 59.

#### *Amendment*

(39) As clarified by the case-law of the Court of Justice, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice, effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or a competent independent and impartial body to order interim measures to prevent a given instance of pollution. Therefore, it should be specified that legal standing should not be made conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and ***promptly accessible for both individuals and organisations. Moreover, it should provide for clear,*** adequate and effective redress mechanisms, including injunctive relief as appropriate.

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<sup>51</sup> Case C-826/18, Judgment of the Court (First Chamber) of 14 January 2021; LB and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren; paragraphs 58 and 59.

<sup>52</sup> Case C-416/10 Judgment of the Court (Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia životného prostredia. Križan, paragraph 109.

<sup>52</sup> Case C-416/10 Judgment of the Court (Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia životného prostredia. Križan, paragraph 109.

## Amendment 31

### Proposal for a directive Recital 40

#### *Text proposed by the Commission*

(40) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Where damage to human health has occurred as a result of a violation of Articles 19, 20, 21 of this Directive, Member States should ensure that the individuals affected by such violations are able to claim and obtain compensation for that damage from the relevant competent authority. The rules on compensation, access to justice and penalties set in this Directive have the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. They thus seek to integrate into the policies of the Union a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development as laid down in Article 37 of the Charter, and puts into concrete terms the obligation to protect the right to life and to the integrity of the person laid down in Articles 2 and 3 of the Charter. It also contributes to the right to an effective remedy before a tribunal as laid down in Article 47 of the Charter, in relation to the protection of human health.

#### *Amendment*

(40) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Where damage to human health has occurred as a result of a violation of Articles 19, 20, 21 of this Directive, Member States should ensure that the individuals affected by such violations are able to claim and obtain compensation for that damage from the relevant competent authority. ***In cases where it is proven that damage to human health has occurred as a direct result of breaches of air quality standards due to significant transboundary pollution originating in another Member State, that Member State should bear the responsibility for compensation, in line with the polluter pays principle.*** The rules on compensation, access to justice and penalties set in this Directive have the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. They thus seek to integrate into the policies of the Union a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development as laid down in Article 37 of the Charter, and puts into concrete terms the obligation to protect the right to life and to the integrity of the person laid down in Articles 2 and 3

of the Charter. It also contributes to the right to an effective remedy before a tribunal as laid down in Article 47 of the Charter, in relation to the protection of human health.

## Amendment 32

### Proposal for a directive Recital 41 a (new)

*Text proposed by the Commission*

*Amendment*

***(41 a) In order to ensure comparable conditions for data measurements between Member States, the Commission should provide detailed guidelines in the form of a delegated act setting out standardised requirements of sampling points as well as the location for new sampling points and existing sampling points which currently do not ensure sufficient level of air quality assessments.***

## Amendment 33

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

*Text proposed by the Commission*

*Amendment*

1. This Directive sets out a zero pollution objective for air quality, so that within the Union air quality is progressively improved to levels no longer considered harmful to human health and natural ecosystems, as defined by scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.

1. This Directive sets out a zero pollution objective for air quality, so that within the Union air quality is progressively improved to levels no longer considered harmful to human health and natural ecosystems, as defined by ***the most up-to date state of the art*** scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.

## Amendment 34

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

*Text proposed by the Commission*

2. This Directive sets intermediate limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds, alert thresholds and long-term objectives ('air quality standards') to be met by the year 2030, and regularly reviewed thereafter in accordance with Article 3.

*Amendment*

2. This Directive sets intermediate limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds, alert thresholds and long-term objectives ('air quality standards') to be met ***as soon as possible and*** by the year 2030 ***at the latest***, and regularly reviewed thereafter in accordance with Article 3.

**Amendment 35**

**Proposal for a directive**  
**Article 1 – paragraph 3**

*Text proposed by the Commission*

3. Furthermore, this Directive contributes to achieving: ***the Union's pollution-reduction, biodiversity and ecosystem objectives in accordance with the 8th Environment Action Programme, as set out in Decision (EU) 2022/591 of the European Parliament and of the Council<sup>55</sup>.***

*Amendment*

3. Furthermore, this Directive contributes to achieving:

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<sup>55</sup> Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

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<sup>55</sup> Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

**Amendment 36**

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

*Text proposed by the Commission*

*Amendment*

***(a) the Union's pollution-reduction, biodiversity and ecosystem objectives in accordance with the 8th Environment Action Programme, as set out in Decision (EU) 2022/591 of the European Parliament and of the Council<sup>55</sup>.***

#### **Amendment 37**

**Proposal for a directive**

**Article 1 – paragraph 3 – point b (new)**

*Text proposed by the Commission*

*Amendment*

***(b) enhanced synergies between the Union's air quality policy and other relevant Union policies, in particular climate and energy policies.***

#### **Amendment 38**

**Proposal for a directive**

**Article 1 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3 a. In addition, this Directive protects the individual right to breathe clean and healthy air stemming from the Charter of Fundamental Rights of the European Union.***

#### **Amendment 39**

**Proposal for a directive**

**Article 2 – paragraph 1 – point 3**

*Text proposed by the Commission*

3. measures for monitoring ambient air quality long-term trends and impacts of Union and national measures on ambient air quality ;

*Amendment*

3. ***standardised*** measures for monitoring ambient air quality, ***short- and*** long-term trends and impacts of Union and national measures, ***including transboundary measures***, on ambient air quality ;

**Amendment 40**

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

*Text proposed by the Commission*

4. measures ensuring that the information on ambient air quality is made available to the public;

*Amendment*

4. measures ensuring that the information on ambient air quality ***and the sources of air pollutants*** is made available to the public, ***as well as relevant mitigation measures taken to reduce air pollution***;

**Amendment 41**

**Proposal for a directive  
Article 2 – paragraph 1 – point 6**

*Text proposed by the Commission*

6. measures promoting increased cooperation between Member States in reducing air pollution.

*Amendment*

6. measures promoting increased cooperation between ***the*** Member States in reducing air pollution ***monitored and overseen by the European Commission, including the European transboundary coordinator***.

**Amendment 42**

**Proposal for a directive  
Article 3 – paragraph 1**

*Text proposed by the Commission*

1. By 31 December 2028, and every 5 years thereafter, and more often if substantial new scientific findings point to the need for it, the Commission shall review the scientific evidence related to air pollutants and their effects on human health and the environment relevant to achieving the objective set in Article 1 and present a report with the main findings to the European Parliament and to the Council.

*Amendment*

1. By 31 December 2028, and every 5 years thereafter, and more often if substantial new scientific findings point to the need for it, the Commission shall ***regularly*** review the scientific evidence related to air pollutants and their effects on human health and the environment relevant to achieving the objective set in Article 1 and present a report with the main findings to the European Parliament and to the Council.

**Amendment 43**

**Proposal for a directive**

**Article 3 – paragraph 2 – subparagraph 3 – introductory part**

*Text proposed by the Commission*

For the purposes of the review, the Commission shall take into account, inter alia, the following:

*Amendment*

For the purposes of the review, the Commission shall ***launch a public consultation and*** take into account, inter alia, the following:

**Amendment 44**

**Proposal for a directive**

**Article 3 – paragraph 2 – subparagraph 3 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) information provided by the Earth Observation component of the EU Space Programme, in particular the Copernicus Atmosphere Monitoring Service (CAMS)***

**Amendment 45**

**Proposal for a directive**

**Article 3 – paragraph 2 – subparagraph 3 – point c**

*Text proposed by the Commission*

*Amendment*

(c) air quality ***situations*** and associated impacts on human health and the environment in Member States,

(c) air quality ***levels*** and associated impacts on human health and the environment in Member States,

**Amendment 46**

**Proposal for a directive**

**Article 3 – paragraph 2 – subparagraph 3 – point d**

*Text proposed by the Commission*

*Amendment*

(d) progress made in implementing national and Union reduction measures for pollutants and improving air quality.

(d) progress made in implementing national and Union reduction measures for pollutants, ***including the relevant elements of the Fit for 55 legislative package***, and improving air quality;

**Amendment 47**

**Proposal for a directive**

**Article 3 – paragraph 2 – subparagraph 3 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) relevant socio-economic aspects and societal costs.***

**Amendment 48**

**Proposal for a directive**

**Article 3 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Where the Commission considers it appropriate, as a result of the review, it shall present a proposal to revise air quality

4. Where the Commission considers it appropriate, as a result of the review, ***and in particular where the latest review of the***

standards or to cover other air pollutants.

***WHO Air Quality Guidelines finds health effects of pollutant concentrations that are below the current limit values***, it shall present a proposal to revise air quality standards or to cover other air pollutants, ***in line with the non-regression principle***.

## **Amendment 49**

### **Proposal for a directive**

#### **Article 4 – paragraph 1 – point 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1 a) ‘air quality standards’ means limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds, alert thresholds and long-term objectives;***

## **Amendment 50**

### **Proposal for a directive**

#### **Article 4 – paragraph 1 – point 3**

*Text proposed by the Commission*

*Amendment*

(3) ‘level’ means the concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time;

(3) ‘level’ means the ***measured or modelled*** concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time;

## **Amendment 51**

### **Proposal for a directive**

#### **Article 4 – paragraph 1 – point 16**

*Text proposed by the Commission*

*Amendment*

***(16) ‘agglomeration’ means a conurbation with a population in excess***

***deleted***

*of 250 000 inhabitants or, where the population is 250 000 inhabitants or fewer, with a given population density per km<sup>2</sup> to be established by the Member States;*

#### **Amendment 52**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 24 a (new)**

*Text proposed by the Commission*

*Amendment*

*(24 a) ‘traffic location’ means a place whose pollution level is determined predominantly by the emissions from nearby traffic activity;*

#### **Amendment 53**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 24 b (new)**

*Text proposed by the Commission*

*Amendment*

*(24 b) ‘industrial location’ means a place whose pollution level is determined predominantly by emissions from nearby single industrial sources or industrial areas with many sources. An ‘industry source’ is to be interpreted widely in this context and shall include but not be limited to sources of power generation, incinerators, waste treatment plants and ports;*

#### **Amendment 54**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 24 c (new)**

*Text proposed by the Commission*

*Amendment*

***(24 c) ‘residential location’ means a place whose predominant use is residential, and whose concentration levels are higher than urban background locations as a result of the choice of residential heating sources in the area.***

## **Amendment 55**

### **Proposal for a directive**

#### **Article 4 – paragraph 1 – point 28**

*Text proposed by the Commission*

(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations throughout the territorial unit at NUTS 1 level as described in Regulation (EC) No 1059/2003, or, if there is no urban area located in that territorial unit, at rural background locations, and which reflects population exposure, used to check whether the average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met ;

*Amendment*

(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations, ***including traffic, industrial, and residential locations***, throughout the territorial unit at NUTS 1 level as described in Regulation (EC) No 1059/2003, or, if there is no urban area located in that territorial unit, at rural background ***locations, including traffic, industrial and residential*** locations, and which reflects population exposure, used to check whether the average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met; ***the average is weighted taking into account the population which each sampling point is representative of;***

## **Amendment 56**

### **Proposal for a directive**

#### **Article 4 – paragraph 1 – point 32**

*Text proposed by the Commission*

(32) ‘information threshold’ means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;

*Unmodified text included in the compromise*

(32) ‘information threshold’ means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;

**Amendment 57**

**Proposal for a directive  
Article 4 – paragraph 1 – point 39**

*Text proposed by the Commission*

(39) ‘sensitive population and vulnerable groups’ means those population groups that are more vulnerable to air pollution exposure than the average population, because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves.

*Amendment*

(39) ‘sensitive population and vulnerable groups’ means those population groups that are more vulnerable to air pollution exposure than the average population, because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves. ***For the purpose of this Directive, transport workers and residents in areas with heavy traffic are also considered vulnerable groups.***

**Amendment 58**

**Proposal for a directive  
Article 4 – paragraph 1 – point 39 a (new)**

*Text proposed by the Commission*

*Amendment*

***(39 a) ‘early warning system’ means a set of modelling tools and stress tests identifying a risk of pollutant concentration exceedance;***

## **Amendment 59**

### **Proposal for a directive**

#### **Article 4 – paragraph 1 – point 39 b (new)**

*Text proposed by the Commission*

*Amendment*

***(39 b) ‘category of the source of pollutants’ means pollutants stemming from the following sectors: - stationary installations for industry and/or energy; - transport; - buildings; - agriculture; - waste;***

## **Amendment 60**

### **Proposal for a directive**

#### **Article 5 – paragraph 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) provision of public information, in accordance with Article 22;***

## **Amendment 61**

### **Proposal for a directive**

#### **Article 5 – paragraph 1 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

***(a b) provision of hourly updated air quality index and other related and relevant health information, in accordance with Article 22;***

## **Amendment 62**

### **Proposal for a directive**

#### **Article 5 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) ensuring the accuracy of modelling applications;

*Amendment*

(d) ensuring the accuracy of ***air quality*** modelling applications;

**Amendment 63**

**Proposal for a directive**

**Article 5 – paragraph 1 – point g**

*Text proposed by the Commission*

(g) cooperation with the other Member States and the Commission;

*Amendment*

(g) cooperation with the other Member States and the Commission, ***including the European transboundary coordinator***;

**Amendment 64**

**Proposal for a directive**

**Article 6 – paragraph 1**

*Text proposed by the Commission*

Member States shall establish zones throughout their territory , including, where appropriate for the purposes of air quality assessment and management, at the level of agglomerations . Air quality assessment and air quality management shall be carried out in all zones .

*Amendment*

Member States shall establish ***sufficiently representative for the purposes of the measurements*** zones throughout their territory , including, where appropriate for the purposes of air quality assessment and management, at the level of agglomerations . Air quality assessment and air quality management shall be carried out in all zones.

**Amendment 65**

**Proposal for a directive**

**Article 8 – paragraph 2**

*Text proposed by the Commission*

2. In all zones where the level of pollutants exceeds the assessment threshold established for those pollutants,

*Amendment*

2. In all zones where the level of pollutants exceeds the assessment threshold established for those pollutants,

fixed measurements shall be used to assess the ambient air quality. Those fixed measurements may be supplemented by modelling applications and indicative measurements to assess air quality and to provide adequate information on the spatial distribution of air pollutants and on the spatial representativeness of fixed measurements .

fixed measurements shall be used to assess the ambient air quality. Those fixed measurements may be supplemented by modelling applications and indicative measurements to assess air quality and to provide adequate information on the spatial distribution of air pollutants and on the spatial representativeness of fixed measurements. ***Member States are encouraged to exploit information products and supplementary tools provided by the Earth Observation component of the EU Space Programme, in particular the Copernicus Atmosphere Monitoring Service, for the modelling and provision of this information.***

## **Amendment 66**

### **Proposal for a directive**

#### **Article 9 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), lead, benzene, carbon monoxide , arsenic, cadmium, nickel, benzo(a)pyrene in ambient air shall be determined in accordance with Annex IV.

*Amendment*

***The competent authority shall adopt a decision by [the date laid down in Article 31(1)], and at least every 5 years thereafter, defining the network design and the location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), lead, benzene, carbon monoxide, arsenic, cadmium, nickel, benzo(a)pyrene in ambient air shall be determined in accordance with Annex IV.***

## **Amendment 67**

### **Proposal for a directive**

#### **Article 9 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Member States may continue to use the***

*existing infrastructure in place, provided that the existing sampling points and monitoring sites correspond to the objectives of this Directive.*

## Amendment 68

### Proposal for a directive

#### Article 9 – paragraph 3 – introductory part

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

3. For zones where the level of pollutants exceeds the relevant assessment threshold specified in Annex II, but not the respective limit values specified in Table 1 of Section 1 of Annex I, ozone target values specified in Section 2 of Annex I or critical levels specified in Section 3 of Annex I, the minimum number of sampling points may be reduced by up to 50 %, in accordance with Points A and C of Annex III provided that the following conditions are met:

##### *Amendment*

3. For zones where the level of pollutants exceeds the relevant assessment threshold specified in Annex II, but not the respective limit values specified in Table 1 of Section 1 of Annex I, ozone target values specified in Section 2 of Annex I or critical levels specified in Section 3 of Annex I, ***and in which information from fixed measurements is supplemented by information from modelling and/or indicative measurements***, the minimum number of sampling points may be reduced by up to 50 %, in accordance with Points A and C of Annex III provided that the following conditions are met:

## Amendment 69

### Proposal for a directive

#### Article 9 – paragraph 3 – point c

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

(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative measurements have a minimum duration of 2 months per calendar year;

##### *Amendment*

(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative measurements have a minimum duration of 2 months per calendar year, ***in the representative period***;

## Amendment 70

### Proposal for a directive Article 9 – paragraph 7

#### *Text proposed by the Commission*

7. Sampling points at which exceedances of any limit value specified in Section 1 of Annex I were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary due to special circumstances, including spatial development. Relocation of sampling points shall be done within their area of spatial representativeness and be based on modelling results.

#### *Amendment*

7. Sampling points at which exceedances of any limit value specified in Section 1 of Annex I were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary due to special circumstances, including spatial development. Relocation of sampling points shall be done within their area of spatial representativeness, ***shall ensure continuity of measurement*** and be based on modelling results.

## Amendment 71

### Proposal for a directive Article 12 – paragraph 2

#### *Text proposed by the Commission*

2. In zones in which ozone levels are below the ozone target value Member States shall take necessary measures to maintain those levels below the ozone target value and ***endeavour*** to attain the long-term objectives specified in Section 2 of Annex I, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions so permit, and provided that any necessary measures do not entail a disproportionate cost.

#### *Amendment*

2. In zones in which ozone levels are below the ozone target value Member States shall take necessary measures to maintain those levels below the ozone target value and ***make sure*** to attain the long-term objectives specified in Section 2 of Annex I, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions so permit, and provided that any necessary measures do not entail a disproportionate cost.

## Amendment 72

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

*Text proposed by the Commission*

1. Member States may , for a given year, identify zones within which limit values for PM<sub>10</sub> are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or **winter -salting** of roads.

*Amendment*

1. Member States may, for a given year, identify zones within which limit values for PM<sub>10</sub> are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or **winter-salting** of roads, **pavements and bike paths**.

**Amendment 73**

**Proposal for a directive**

**Article 19 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Where, in given zones the levels of pollutants in ambient air exceed any limit value , laid down in Section 1 of Annex I, , Member States shall establish air quality plans for those zones as soon as possible and no later than **2 years** after the calendar year during which that exceedance of any limit value was recorded. Those air quality plans shall set out appropriate measures to achieve the concerned limit value and to keep the exceedance period as short as possible, and in any case no longer than **3** years from the end of the calendar year in which the first exceedance was reported .

*Amendment*

Where, in given zones the levels of pollutants in ambient air exceed any limit value , laid down in Section 1 of Annex I, , Member States shall establish air quality plans for those zones as soon as possible and no later than **1 year** after the calendar year during which that exceedance of any limit value was recorded. Those air quality plans shall set out appropriate measures to achieve the concerned limit value and to keep the exceedance period as short as possible, and in any case no longer than **2** years from the end of the calendar year in which the first exceedance was reported .

**Amendment 74**

**Proposal for a directive**

**Article 19 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

Where exceedances of any limit values persist during the **third** calendar year after the establishment of the air quality plan, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in

*Amendment*

Where exceedances of any limit values persist during the **second** calendar year after the establishment of the air quality plan, **The Commission shall issue recommendations and** Member States shall update the air quality plan **in**

the subsequent calendar year to keep the exceedance period as short as possible.

*accordance with those recommendations* and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

## **Amendment 75**

### **Proposal for a directive**

#### **Article 19 – paragraph 2 – subparagraph 2**

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

Where exceedances of the ozone target value persist during the *fifth* calendar year after the establishment of the air quality plan in the relevant NUTS 1 territorial unit, Member States shall update air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

##### *Amendment*

Where exceedances of the ozone target value persist during the *third* calendar year after the establishment of the air quality plan in the relevant NUTS 1 territorial unit, Member States shall update air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

## **Amendment 76**

### **Proposal for a directive**

#### **Article 19 – paragraph 3 – subparagraph 2**

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

Where exceedances of the average exposure reduction obligation persist during the *fifth* calendar year after the establishment of the air quality plan, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

##### *Amendment*

Where exceedances of the average exposure reduction obligation persist during the *third* calendar year after the establishment of the air quality plan, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

## **Amendment 77**

## Proposal for a directive

### Article 19 – paragraph 5 – subparagraph 2

#### *Text proposed by the Commission*

Member States shall consider including measures referred to in Article 20(2) and specific measures aiming at the protection of sensitive population and vulnerable groups , including children in their air quality plans .

#### *Amendment*

Member States shall consider including measures referred to in Article 20(2) and ***shall include*** specific measures aiming at the protection of sensitive population and vulnerable groups, including children, in their air quality plans.

## Amendment 78

## Proposal for a directive

### Article 19 – paragraph 5 – subparagraph 2 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***Member States shall promote measures to address and reduce voluntary engine idling, so as to reduce the impact of idling-related emissions which is particularly damaging in the areas of schools, hospitals and densely populated areas.***

## Amendment 79

## Proposal for a directive

### Article 19 – paragraph 6 – subparagraph 2

#### *Text proposed by the Commission*

#### *Amendment*

When preparing air quality plans, Member States shall ensure that stakeholders whose activities contribute to the exceedance situation are encouraged to propose measures they are able to take to help end the exceedances and that non-governmental organisations, such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population and

When preparing air quality plans, Member States shall ensure that stakeholders whose activities contribute to the exceedance situation are encouraged to propose measures they are able to take to help end the exceedances and that non-governmental organisations, such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population and

vulnerable groups, other relevant health-care bodies and the relevant industrial federations are allowed to take part in those consultations.

vulnerable groups, other relevant health-care bodies and the relevant industrial federations are allowed to take part in those consultations. ***Member States shall make sure that relevant stakeholders and citizens are duly informed about the specific sources and air pollutants affecting air quality and the relevant air pollution mitigation measures that exist and are available on the market, in accordance with Article 22.***

## **Amendment 80**

### **Proposal for a directive Article 19 a (new)**

*Text proposed by the Commission*

*Amendment*

#### ***Article 19 a***

##### ***Early warning system***

- 1. The Commission shall establish, by means of a delegated act, guidelines concerning modelling approach and tools, as well as stress tests methodology functioning as an early warning system (EWS).***
- 2. The system shall identify any systemic problem(s) with the air quality in a Member State which will likely lead in the future to the exceedance of the concentrations of the pollutants.***
- 3. Where the EWS identifies a problem, Member State shall draft a Preventive Air Plan.***
- 4. The Preventive Air Plan shall contain preventive measures based on the problem identified by the EWS.***

## **Amendment 81**

### **Proposal for a directive**

## Article 20 – paragraph 2

### *Text proposed by the Commission*

2. When drawing up the short-term action plans referred to in paragraph 1 Member States may, depending on the individual case, provide for effective measures to control and, where necessary, temporarily suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. Depending on the share of the main pollution sources to the exceedances to be addressed, those short-term action plans shall consider including measures in relation to transport, construction works, industrial installations and the use of products and domestic heating. Specific actions aiming at the protection of sensitive population and vulnerable groups, including children, shall also be considered in the framework of those plans.

### *Amendment*

2. When drawing up the short-term action plans referred to in paragraph 1 Member States may, depending on the individual case, provide for effective measures to control and, where necessary, temporarily suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. Depending on the share of the main pollution sources to the exceedances to be addressed, those short-term action plans shall consider including measures in relation to transport, construction works, industrial installations and the use of products and domestic heating. Specific actions aiming at the protection of sensitive population and vulnerable groups, including children ***and transport workers particularly exposed to air pollution*** shall also be considered in the framework of those plans.

## Amendment 82

### **Proposal for a directive Article 20 – paragraph 5 a (new)**

#### *Text proposed by the Commission*

#### *Amendment*

***5a. Within one year after the entry into force of this directive, the Commission shall publish examples of best practice actions to take within transport, residential and industrial sectors for the drawing-up of short-term action plans.***

## Amendment 83

### **Proposal for a directive Article 21 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***With a view to facilitate cooperation and increase the support to Member States in cases of transboundary pollution, a Commission representative shall be appointed as European Transboundary Coordinator, who, for the purpose of this Directive, shall oversee and assist in the transboundary coordination between Member States as well as with third countries.***

#### **Amendment 84**

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

##### **Article 21 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The Member States concerned shall cooperate to identify the sources of air pollution and the measures to be taken to address those sources, and draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 19, in order to remove such exceedances .

The Member States concerned shall cooperate ***with each other and with the European transboundary coordinator***, to identify the sources of air pollution and the measures to be taken to address those sources, and draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 19, in order to remove such exceedances.

#### **Amendment 85**

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

##### **Article 21 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The Commission shall be informed of, and ***invited to*** be present ***and to*** assist ***in*** any cooperation referred to in paragraph 1 of this Article . Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 11

2. The Commission shall be informed of, and ***shall*** be present, assist ***and oversee*** any cooperation referred to in paragraph 1 of this Article. ***The European transboundary coordinator shall assist in the drafting of the solutions to be***

of Directive **(EU) 2016/2284** , consider whether further action shall be taken at Union level in order to reduce precursor emissions responsible for transboundary pollution.

**implemented.** Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 11 of Directive, consider whether further action shall be taken at Union level in order to reduce precursor emissions responsible for transboundary pollution.

## Amendment 86

### Proposal for a directive Article 21 – paragraph 3

#### *Text proposed by the Commission*

3. Member States shall, if appropriate pursuant to Article 20, prepare and implement joint short-term action plans covering neighbouring zones in other Member States. Member States shall ensure that neighbouring zones in other Member States receive all appropriate information regarding these short-term action plans without undue delay .

#### *Amendment*

3. Member States shall, if appropriate pursuant to Article 20, prepare and implement joint short-term action plans covering neighbouring zones in other Member States. ***Upon request of one or more Member States, the European transboundary Coordinator shall make recommendations and assist in the preparation of those plans.*** Member States shall ensure that neighbouring zones in other Member States receive all appropriate information regarding these short-term action plans without undue delay.

## Amendment 87

### Proposal for a directive Article 21 – paragraph 5

#### *Text proposed by the Commission*

5. In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries.

#### *Amendment*

5. In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries. ***The Commission, including the***

*European transboundary Coordinator, shall provide support to Member States in such cooperation, and liaise with third countries in order to facilitate agreement and joint efforts.*

#### **Amendment 88**

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

##### **Article 21 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

*5 a. With a view to further strengthen cooperation with third countries, the Commission shall consider setting up a Structured Dialogue on transboundary air pollution between the Union and neighbouring third countries, to encourage and operationalise increased joint action to reduce transboundary air pollution.*

#### **Amendment 89**

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

##### **Article 22 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) any significant problems identified by the early warning system and the ensuing preventive air plans, as provided for in Article 19a;*

#### **Amendment 90**

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

##### **Article 22 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) air pollution sources and air pollutants affecting air quality***

## **Amendment 91**

### **Proposal for a directive**

#### **Article 22 – paragraph 1 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(d b) best practice mitigation measures and technologies available to reduce pollutant emissions***

## **Amendment 92**

### **Proposal for a directive**

#### **Article 22 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and ozone, and make it available through a public source providing an hourly update. The air quality index shall ***consider the*** recommendations by the WHO and build on the air quality indices at European scale provided by the European Environmental Agency.

2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and ozone, ***based on an EU-wide framework containing data that will ensure harmonised information across the EU*** and make it available ***in a coherent and easily understandable manner*** through a public source providing an hourly update ***and accompanied with health information, including information tailored to sensitive population and vulnerable groups. In order to ensure harmonized and comparable data across the Union,*** the air quality index shall ***be closely aligned with the latest*** recommendations by the WHO and build on the air quality indices at European scale provided by the European Environmental Agency.

## **Amendment 93**

### **Proposal for a directive**

#### **Article 22 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2 a. The Commission shall adopt guidance and templates concerning the content, structure and format of the national air quality indexes, no later than six months after the entry into force referred to in Article 32. In so doing, the Commission shall also include information on the health impacts of air pollution from different concentration levels of each pollutant on the general population and on sensitive population and vulnerable groups, as well as recommended precautions. The Commission may adopt guidance and templates to facilitate the effective application across the Union of any other provisions of this Directive.**

## **Amendment 94**

### **Proposal for a directive**

#### **Article 24 – paragraph 1 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

**The Commission shall also adopt a delegated act in accordance with Article 25 supplementing Annex IV by establishing guidelines for standardised requirements for sampling points as well as the location for new sampling points and existing sampling points which currently do not ensure sufficient level of air quality assessments.**

## Amendment 95

### Proposal for a directive Article 25 – paragraph 2

#### *Text proposed by the Commission*

2. The power to adopt delegated acts referred to in **Article** 24 shall be conferred on the Commission for an indeterminate period of time from ... [date of entry into force of this Directive].

#### *Amendment*

2. The power to adopt delegated acts referred to in **Articles 19a and** 24 shall be conferred on the Commission for an indeterminate period of time from ... [date of entry into force of this Directive].

## Amendment 96

### Proposal for a directive Annex IV – Part A – paragraph 1 – point 2 – point c

#### *Text proposed by the Commission*

(c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access to the central reservation.

#### *Amendment*

(c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access to the central reservation **or, where applicable, cycling lanes are present** .

## Amendment 97

### Proposal for a directive Annex IV – Part B – point 2 – paragraph 1 – point e

#### *Text proposed by the Commission*

(e) the annual average of the observed pollutant concentration shall be used as the air quality metric for a specific year.

#### *Amendment*

(e) the annual average of the observed pollutant concentration shall be used as the air quality metric for a specific year; **in case of significant differences of observed concentrations between summer and winter seasons, annualised seasonal averages for those concentrations shall also be used;**

## Amendment 98

### Proposal for a directive

#### Annex IV – Part B – point 2 – point a – introductory part

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

(a) Sampling points directed at the protection of human health shall be sited in such a way as to provide data on all of the following:

##### *Amendment*

(a) Sampling points directed at the protection of human health shall be sited in such a way as to provide **reliable** data on all of the following:

## Amendment 99

### Proposal for a directive

#### Annex IV – Part B – point 2 – point a – point i

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

(i) concentration levels in the areas within zones with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s),

##### *Amendment*

(i) concentration levels in the areas within zones with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s), ***including in the vicinity of all pollution hotspots such as industries, farms, airports and ports, residential areas, as well as neighbourhoods with heavy traffic;***

## Amendment 100

### Proposal for a directive

#### Annex IV – Part B – point 2 – point b a (new)

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

##### *Amendment*

***(b a) urban traffic locations shall be located in such a way as to provide data on the streets with the highest concentration to which the population is exposed, taking into consideration traffic volume, local dispersion conditions and***

*spatial land use (e.g. in street canyons);*

## **Amendment 101**

### **Proposal for a directive Annex IV – Part B – point 2 – point f**

*Text proposed by the Commission*

(f) where contributions from industrial sources, ports or airports are to be assessed, at least 1 sampling point shall be installed downwind of the source in the nearest residential area. Where the background concentration is not known, an additional sampling point shall be situated within the main wind direction. The sampling points shall be sited such that the application of BAT can be monitored;

*Amendment*

(f) where contributions from industrial sources, ***farms***, ports or airports are to be assessed, at least 1 sampling point shall be installed downwind of the source in the nearest residential area. Where the background concentration is not known, an additional sampling point shall be situated within the main wind direction. The sampling points shall be sited such that the application of BAT can be monitored;

## **Amendment 102**

### **Proposal for a directive Annex IV – Part B – point 2 – point i a (new)**

*Text proposed by the Commission*

*Amendment*

***(i a) sufficient number of sampling points shall be located in the transborder zones;***

## **Amendment 103**

### **Proposal for a directive Annex IV – Part C – paragraph 1 – point b**

*Text proposed by the Commission*

(b) in general, the sampling point inlet shall be between 0,5 m (the breathing zone) and 4 m above the ground. Higher siting (up to 8m) may be appropriate if the

*Amendment*

(b) in general, the sampling point inlet shall be between 0,5 m (the breathing zone) and 4 m above the ground. Higher siting (up to 8m ***or, where justified,***

sampling point is representative of a large area (a background location) or in other specific circumstances and any derogations shall be fully documented;

**higher**) may be appropriate if the sampling point is representative of a large area (a background location) or in other specific circumstances and any derogations shall be fully documented;

## Amendment 104

### Proposal for a directive Annex IV – Part D – point 1

#### *Text proposed by the Commission*

1. The competent authorities responsible for air quality assessment shall for all zones fully document the site-selection procedures **and** record information to support the network design and choice of location for all monitoring sites. The design of the monitoring network shall be supported at least by either modelling or indicative measurements.

#### *Amendment*

1. The competent authorities responsible for air quality assessment shall **provide**, for all zones, **assessments based on data**, fully document the site-selection procedures, record information to support the network design and choice of location for all monitoring sites **and provide justifications**. The design of the monitoring network shall be supported at least by either modelling **with sufficiently low level of uncertainty** or indicative measurements.

## Amendment 105

### Proposal for a directive Annex IV – Part D – point 2

#### *Text proposed by the Commission*

2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps and shall include information on the spatial representativeness of all sampling points.

#### *Amendment*

2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps, **photos** and shall include information on the spatial representativeness of all sampling points.

## Amendment 106

**Proposal for a directive**  
**Annex IV – Part D – point 3**

*Text proposed by the Commission*

3. The documentations shall include any deviation from the micro-scale siting criteria, their underlying reasons and the likely impact on measured levels.

*Amendment*

3. The documentations shall include ***reports explaining the reasons for the network design, in particular: (a) the reasons for selecting sites representative of the highest pollution levels in the zone for each pollutant; (b) the reasons for selecting sites representative of the general population exposure; and (c)*** any deviation from the micro-scale siting criteria, their underlying reasons and the likely impact on measured levels.

**Amendment 107**

**Proposal for a directive**  
**Annex IV – Part D – point 9**

*Text proposed by the Commission*

9. At least every 5 years the selection criteria, network design and monitoring site locations, defined by the competent authorities in view of the requirements of this Annex, shall be reviewed to ensure they remain valid and optimal overtime. The review shall be supported at least by either modelling or indicative measurements.

*Amendment*

9. At least every 5 years the selection criteria, network design and monitoring site locations, defined by the competent authorities in view of the requirements of this Annex, shall be reviewed to ensure they remain valid and optimal overtime. The review shall be supported at least by either modelling or indicative measurements ***and inform about measures to be taken to correct and update the network design within one year, in case the review reveals that the network design and location of monitoring sites are no longer valid (e.g. there is no fixed monitoring station in the area of the modelled maximum levels).***

**Amendment 108**

**Proposal for a directive**

## Annex V – Part B – paragraph 3

### *Text proposed by the Commission*

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O<sub>3</sub>). In order to comply with these requirements and to ensure that any potential losses of data do not skew results, the minimum data coverage requirements shall be met for specific periods (quarter, month, weekday) of the whole year depending on the pollutant and measurement method/frequency.

### *Amendment*

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O<sub>3</sub>). In order to comply with these requirements and to ensure that any potential losses of data do not skew results, the minimum data coverage **and distribution** requirements shall be met for specific periods (quarter, month, weekday) of the whole year depending on the pollutant and measurement method/frequency.

## Amendment 109

### Proposal for a directive

#### Annex V – Part D – paragraph 1 – point e a (new)

### *Text proposed by the Commission*

### *Amendment*

***(e a) for measurements from transborder sampling points, an estimation shall be provided of the transborder pollution originating in another Member State;***

## Amendment 110

### Proposal for a directive

#### Annex VI – Part B – point 2

### *Text proposed by the Commission*

### *Amendment*

2. The Commission **may** require Member States to prepare and submit a report on the demonstration of equivalence in accordance with point 1.

2. The Commission **shall** require Member States to prepare and submit a report on the demonstration of equivalence in accordance with point 1.

## Amendment 111

**Proposal for a directive**  
**Annex VIII – Part A – point 4 – point a**

*Text proposed by the Commission*

(a) list of the main emission sources responsible for pollution;

*Amendment*

(a) list of the main emission sources, ***including its category***, responsible for pollution;

**Amendment 112**

**Proposal for a directive**  
**Annex VIII – Part A – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4 a. Where the transport sector is part of the emission sources responsible for pollution referred to under point (a), the relevant information provided under points (a-d) shall be broken down and reported per mode of transport if possible.***

**Amendment 113**

**Proposal for a directive**  
**Annex VIII – Part A – point 5 – point a**

*Text proposed by the Commission*

(a) expected quantified concentration reduction (in µg/m<sup>3</sup>) at each sampling point in exceedance of limit values, ozone target value or of the average exposure indicator in case of an exceedance of the average exposure reduction obligation, from the measures referred to in point 6;

*Amendment*

(a) expected quantified concentration reduction (in µg/m<sup>3</sup>) at each sampling point in exceedance of limit values, ozone target value or of the average exposure indicator in case of an exceedance of the average exposure reduction obligation, from the ***short-term and long-term*** measures referred to in point 6 ***and their relation to the category of the source of pollutants***;

**Amendment 114**

**Proposal for a directive**  
**Annex VIII – Part A – point 5 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) for air quality plans under Article 19(2), detailed reasons to explain how the plan sets out all appropriate measures, so that the exceedance period can be kept as short as possible, including the following:***

***(i) where the start date for implementation of a measure is later than 6 months from the date of adoption of the air quality plan, an explanation of the reasons why an earlier start date is not possible;***

***(ii) where the analysis pursuant to point 4a has identified measures that would have greater impacts in improving air quality, but they have not been selected for adoption, an explanation of the reasons why adoption of such measures is impossible and evidence that the selected measures will achieve at least an equivalent reduction in emissions and concentrations.***

**Amendment 115**

**Proposal for a directive**  
**Annex VIII – Part A – point 6 – point a**

*Text proposed by the Commission*

*Amendment*

(a) listing and description of all the measures set out in the air quality plan, including the identification of the competent authority in charge of their implementation;

(a) listing and description of all the ***short-term*** measures ***related to relevant categories*** set out in the air quality plan ***and justification for those measures regarding the source and category of exceedance, their efficiency and availability in time***, including the identification of the competent authority in charge of their implementation;

## Amendment 116

### Proposal for a directive

#### Annex VIII – Part A – point 6 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(a a) listing and description of all the long-term measures related to relevant categories set out in the air quality plan and justification for those measures regarding the source and category of exceedance, their efficiency, availability in time and socio-economic impact, including the identification of the competent authority in charge of their implementation;***

## Amendment 117

### Proposal for a directive

#### Annex VIII – Part A – point 6 – point b

*Text proposed by the Commission*

*Amendment*

(b) quantification of emission reduction (in tonnes/year) of each measure under point (a);

(b) quantification of emission reduction (in tonnes/year) of each measure ***and category*** under point (a);

## Amendment 118

### Proposal for a directive

#### Annex VIII – Part A – point 6 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(c a) an estimate of the economic and social impact of each measure, including, where relevant, any possible impact on the access to energy and mobility;***

## Amendment 119

**Proposal for a directive**  
**Annex VIII – Part A – point 6 – point e**

*Text proposed by the Commission*

(e) list of the information (including modelling and assessment results of measures) to reach the air quality standard concerned in accordance with Annex I.

*Amendment*

(e) list of the information (including modelling and assessment results of ***short-term and long-term*** measures) to reach the air quality standard concerned in accordance with Annex I.

**Amendment 120**

**Proposal for a directive**  
**Annex VIII – Part A – point 7 – point d**

*Text proposed by the Commission*

(d) listing ***and*** description of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.

*Amendment*

(d) listing, description, ***justification and socio-economic impact*** of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.

**Amendment 121**

**Proposal for a directive**  
**Annex VIII – Part A – point 7 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) data on existing and planned zero- or low-emission zones;***

**Amendment 122**

**Proposal for a directive**  
**Annex VIII – Part A – point 7 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(d b) where applicable, data relevant for the reductions of emissions and pollutant concentrations contained in Sustainable Urban Mobility Plans, as established in COM/2013/0913;***

## **Amendment 123**

### **Proposal for a directive**

#### **Annex VIII – Part A – point 8 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) estimate of impact of measures to reduce emissions and pollutant concentrations in the transport sector.***

## **Amendment 124**

### **Proposal for a directive**

#### **Annex VIII – Part B – point 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. Information on all air pollution abatement measures that have been considered at local, regional or national level for implementation in connection with the attainment of air quality objectives, including:

2. Information on all air pollution abatement measures that have been considered at local, regional or national level for implementation ***and/or will be implemented*** in connection with the attainment of air quality objectives ***for each category in short and long term***, including:

## **Amendment 125**

### **Proposal for a directive**

#### **Annex VIII – Part B – point 2 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) reduction of emissions from the uptake of zero and low emission vehicles, including as a result of economic incentives, and such reductions from public transport and/or vehicles equipped with modern digital solutions affecting emission reduction;***

## **Amendment 126**

**Proposal for a directive**

**Annex VIII – Part B – point 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) reduction of emissions from road, maritime, and air transport through the use of alternative fuels and deployment of alternative fuels infrastructure, as well as the use of economic incentives to accelerate their take-up;***

## **Amendment 127**

**Proposal for a directive**

**Annex VIII – Part B – point 2 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

***(b b) reduction of transport emissions through investments in active mobility, including cycling, relevant infrastructure and intermodal synergies;***

## **Amendment 128**

**Proposal for a directive**

**Annex VIII – Part B – point 2 – point b c (new)**

*Text proposed by the Commission*

*Amendment*

**(b c) measures related to improved quality, efficiency, affordability and connectivity of public transport;**

## **Amendment 129**

**Proposal for a directive**

**Annex VIII – Part B – point 2 – point b d (new)**

*Text proposed by the Commission*

*Amendment*

**(b d) measures related to the deployment of alternative fuels infrastructure;**

## **Amendment 130**

**Proposal for a directive**

**Annex VIII – Part B – point 2 – point b e (new)**

*Text proposed by the Commission*

*Amendment*

**(b e) measures related to the implementation of intelligent transport systems and digital solutions related to emissions reduction;**

## **Amendment 131**

**Proposal for a directive**

**Annex VIII – Part B – point 2 – point b f (new)**

*Text proposed by the Commission*

*Amendment*

**(b f) measures related to smart parking;**

## **Amendment 132**

**Proposal for a directive**  
**Annex VIII – Part B – point 2 – point d**

*Text proposed by the Commission*

(d) measures to limit transport emissions through traffic planning and management (including congestion pricing, differentiated parking fees or other economic incentives; establishing urban vehicles access restrictions schemes, including low emission zones);

*Amendment*

(d) measures to limit transport emissions through traffic planning and management (including congestion pricing, differentiated parking fees or other economic incentives ***such as reduced public transport fares for targeted low-income groups***, establishing urban vehicles access restrictions schemes, including low emission zones);

**Amendment 133**

**Proposal for a directive**  
**Annex VIII – Part B – point 2 – point e**

*Text proposed by the Commission*

(e) measures to encourage a shift towards less polluting forms of transport;

*Amendment*

(e) measures to encourage a ***modal*** shift towards less polluting forms of transport ***including rail and inland waterways, but also through active and public transport, as well as social leasing of electric vehicles and vehicle scrappage schemes, and to support changes in mobility behaviour***;

**Amendment 134**

**Proposal for a directive**  
**Annex VIII – Part B – point 2 – point f**

*Text proposed by the Commission*

(f) measures to encourage a shift towards zero emissions vehicles and non-road machinery for both private and commercial applications;

*Amendment*

(f) measures to encourage a shift towards zero ***and low*** emissions vehicles and non-road machinery for both private and commercial applications;

## Amendment 135

### Proposal for a directive Annex VIII – Part B – point 2 – point g

*Text proposed by the Commission*

(g) measure to ensure that low emission fuels are given preference in small-, medium- and large-scale stationary sources and in mobile sources;

*Amendment*

(g) measure to ensure that **zero and** low emission fuels are given preference in small-, medium- and large-scale stationary sources and in mobile sources;

## Amendment 136

### Proposal for a directive Annex VIII – Part B – point 2 – point h a (new)

*Text proposed by the Commission*

*Amendment*

***(h a) measures to reduce air pollution in hotspots, including in ports, notably by speeding-up the deployment of on-shore power infrastructure for ships at berth;***

## Amendment 137

### Proposal for a directive Annex VIII – Part B – point 2 – point i

*Text proposed by the Commission*

(i) measures to protect the health of children **or** other sensitive population groups.

*Amendment*

(i) measures to protect the health of children, ***such as school streets with limited or no access for cars, and measures to protect the health of*** other sensitive population ***and vulnerable*** groups.

## Amendment 138

**Proposal for a directive**  
**Annex VIII – Part B – point 2 – point i a (new)**

*Text proposed by the Commission*

*Amendment*

***(i a) measures to better protect the health of workers who are exposed to unhealthy levels of air pollution in their profession.***

**Amendment 139**

**Proposal for a directive**  
**Annex IX – point 2 – point d**

*Text proposed by the Commission*

*Amendment*

(d) information on preventive ***action*** to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions;

(d) information on ***short term measures and*** preventive ***actions*** to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions ***and limitations for exposure***;

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Ambient air quality and cleaner air for Europe (recast)						
<b>References</b>	COM(2022)0542 – C9-0364/2022 – 2022/0347(COD)						
<b>Committee responsible</b> Date announced in plenary	ENVI 19.1.2023						
<b>Opinion by</b> Date announced in plenary	TRAN 19.1.2023						
<b>Rapporteur for the opinion</b> Date appointed	Vera Tax 19.1.2023						
<b>Discussed in committee</b>	21.3.2023						
<b>Date adopted</b>	24.5.2023						
<b>Result of final vote</b>	<table> <tr> <td>+: </td><td>34</td></tr> <tr> <td>–: </td><td>8</td></tr> <tr> <td>0: </td><td>1</td></tr> </table>	+:	34	–:	8	0:	1
+:	34						
–:	8						
0:	1						
<b>Members present for the final vote</b>	Andris Ameriks, José Ramón Bauzá Díaz, Erik Bergkvist, Paolo Borchia, Karolin Braunsberger-Reinhold, Marco Campomenosi, Ciarán Cuffe, Jakop G. Dalunde, Anna Deparnay-Grunenberg, Ismail Ertug, Carlo Fidanza, Jens Gieseke, Kateřina Konečná, Elena Kountoura, Bogusław Liberadzki, Peter Lundgren, Benoît Lutgen, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Ljudmila Novak, Jan-Christoph Oetjen, Rovana Plumb, Bergur Løkke Rasmussen, Dominique Riquet, Massimiliano Salini, Vera Tax, Barbara Thaler, Petar Vitanov, Lucia Vuolo, Roberts Zile						
<b>Substitutes present for the final vote</b>	Pablo Arias Echeverría, Ignazio Corrao, Vlad Gheorghe, Roman Haider, Ondřej Kovařík, Jutta Paulus, Andreas Schieder, Jörgen Warborn						
<b>Substitutes under Rule 209(7) present for the final vote</b>	Mauri Pekkarinen, Antonio Maria Rinaldi, Paul Tang, Eugen Tomac, Elena Yoncheva						

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

34	+
PPE	Pablo Arias Echeverría, Karolin Braunsberger-Reinhold, Jens Gieseke, Elżbieta Katarzyna Łukacijewska, Benoît Lutgen, Marian-Jean Marinescu, Ljudmila Novak, Barbara Thaler, Eugen Tomac, Jörgen Warborn
Renew	José Ramón Bauzá Díaz, Vlad Gheorghe, Ondřej Kovařík, Jan-Christoph Oetjen, Mauri Pekkarinen, Bergur Løkke Rasmussen, Dominique Riquet
S&D	Andris Ameriks, Erik Bergkvist, Ismail Ertug, Bogusław Liberadzki, Rovana Plumb, Andreas Schieder, Paul Tang, Vera Tax, Petar Vitanov, Elena Yoncheva
The Left	Kateřina Konečná, Elena Kountoura
Verts/ALE	Ignazio Corrao, Ciarán Cuffe, Jakop G. Dalunde, Anna Deparnay-Grunenberg, Jutta Paulus

8	-
ECR	Carlo Fidanza, Roberts Zīle
ID	Paolo Borchia, Marco Campomenosi, Roman Haider, Antonio Maria Rinaldi
PPE	Massimiliano Salini, Lucia Vuolo

1	0
ECR	Peter Lundgren

### Key to symbols:

+ : in favour

- : against

0 : abstention