



Procedure file

Basic information		
SYN - Cooperation procedure (historic)	1997/0266(SYN)	Procedure completed
Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead		
Repealed by 2005/0183(COD)		
Subject 3.70.02 Atmospheric pollution, motor vehicle pollution		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Environment, Public Health and Consumer Protection	PSE POLLACK Anita Jean	12/10/1998
	Former committee responsible		
	 Environment, Public Health and Consumer Protection	PSE POLLACK Anita Jean	27/11/1997
Council of the European Union	Council configuration	Meeting	Date
	Environment	2334	08/03/2001
	Telecommunications	2172	22/04/1999
	Competitiveness (Internal Market, Industry, Research and Space)	2117	24/09/1998
	Environment	2106	16/06/1998
	Environment	2076	23/03/1998

Key events			
08/10/1997	Legislative proposal published	COM(1997)0500	Summary
17/12/1997	Committee referral announced in Parliament		
23/03/1998	Debate in Council	2076	
23/04/1998	Vote in committee		Summary
23/04/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0161/1998	
12/05/1998	Debate in Parliament		Summary
13/05/1998	Decision by Parliament	T4-0271/1998	Summary
08/07/1998	Modified legislative proposal published	COM(1998)0386	Summary

24/09/1998	Council position published	10275/2/1998	Summary
09/10/1998	Committee referral announced in Parliament, 2nd reading		
25/11/1998	Vote in committee, 2nd reading		Summary
25/11/1998	Committee recommendation tabled for plenary, 2nd reading	A4-0483/1998	
12/01/1999	Debate in Parliament		
13/01/1999	Decision by Parliament, 2nd reading	T4-0008/1999	Summary
05/03/1999	Modified legislative proposal published	COM(1999)0093	Summary
22/04/1999	Act adopted by Council after consultation of Parliament		
22/04/1999	End of procedure in Parliament		
29/06/1999	Final act published in Official Journal		

Technical information

Procedure reference	1997/0266(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
	Repealed by 2005/0183(COD)
Legal basis	EC before Amsterdam E 130S-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/10460

Documentation gateway

Legislative proposal	COM(1997)0500 OJ C 009 14.01.1998, p. 0006	08/10/1997	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0161/1998 OJ C 167 01.06.1998, p. 0004	23/04/1998	EP	
Economic and Social Committee: opinion, report	CES0620/1998 OJ C 214 10.07.1998, p. 0001	29/04/1998	ESC	
Text adopted by Parliament, 1st reading/single reading	T4-0271/1998 OJ C 167 01.06.1998, p. 0079-0110	13/05/1998	EP	Summary
Modified legislative proposal	COM(1998)0386 OJ C 259 18.08.1998, p. 0010	08/07/1998	EC	Summary
Council position	10275/2/1998 OJ C 360 23.11.1998, p. 0099	24/09/1998	CSL	Summary
Commission communication on Council's position	SEC(1998)1633	30/09/1998	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A4-0483/1998 OJ C 098 09.04.1999, p. 0007	25/11/1998	EP	
Text adopted by Parliament, 2nd reading	T4-0008/1999 OJ C 104 14.04.1999, p. 0036-0044	13/01/1999	EP	Summary

Modified legislative proposal		COM(1999)0093	05/03/1999	EC	Summary
Follow-up document		COM(2004)0845	04/01/2005	EC	Summary

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 1999/30](#)

[OJ L 163 29.06.1999, p. 0041](#) Summary

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

OBJECTIVE: to strengthen the limit values for atmospheric pollutants - sulphur dioxide, oxides of nitrogen, particulate matter and lead - with a view to improving air quality. **CONTENT:** the proposal for a directive is targeted at sulphur dioxide, nitrogen dioxide, particulate matter and lead in ambient air. The proposed limit values, along with a timetable and cost/benefit analysis, are based on the 1996 WHO's guidelines on air quality. This text will be the first daughter directive of the Air Quality Framework Directive (Directive 96/62/EC). The key elements are: 1) Sulphur anhydride (SO₂): the proposal establishes two limit values for health between now and 1 January 2005 and a limit value for ecosystems to be applied two years after the entry into force of the directive. It also provides for an alert threshold for sulphur anhydride. The public is to be informed if this threshold is exceeded. 2) Nitrogen oxides: the proposal lays down: - limit values for nitrogen dioxide (NO₂), aimed at protecting human health: they must be met by 1 January 2010 at the latest; - limit values for combined nitrogen dioxide and nitric acid (NO) in order to protect ecosystems: they must be met within two years of the directive entering into force. 3) Particulate matter: limit values are established for 2005 and 2010. They require particulate matter to be measured as PM₁₀ (particulate matter with a diameter of less than 10 microns). The Commission will submit a report to the Council and the European Parliament on 21 December 2003 at the latest on the most recent progress achieved in terms of identifying particulate matter and its effects. This report will possibly be accompanied by proposals to change the limit values. 4) Lead: the only limit value proposed for 2005 is above the current levels in the Union. The Commission will submit a report by 31 December 2003 at the latest on the viability of establishing deposit limit values for lead, in addition to or instead of the limit values for lead in air surrounding industrial installations. The proposal also stipulates that the Member States must ensure that the updated information on the levels of sulphur dioxide, nitrogen dioxide, particulate matter and lead can be easily accessed by the public. ?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

The committee adopted unopposed with two abstentions a report on a Commission proposal for a Council Directive on limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead in ambient air. The rapporteur is Mrs Anita POLLACK (PES, UK). This is the first daughter directive following the adoption of the Air Quality Framework Directive (Council Directive 96/62/EC). The legal base consists of Articles 130r (Environment), 129 (public health) and 3(o) (health protection). The proposed directive includes proposals to establish limit values, alert thresholds, margins of tolerance and target dates (for the attainment of the limit values) for the four pollutants in question. It also establishes uniform measuring criteria. Member States must transpose it by the end of 1999. Amendments adopted included providing the public and interested organizations with clear information. Information on ambient concentrations of sulphur dioxide, oxides of nitrogen and particulate matter must be updated hourly and, in the case of lead, every three months. Alert thresholds are introduced for nitrogen oxide and particulates. The committee also toughened some of the requirements for sulphur dioxide. Sampling points should be sited to include data on smaller islands. Exceptionally, Member States may designate areas within which the limits for lead cannot be met by 1 January 2005 owing to concentrations of lead resulting from industrial processes. Those limits must be met, however, by 1 January 2010. Another amendment calls for research. The Commission is required to review the directive by September 2003. ?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

Commissioner Bjerregaard welcomed the amendments which introduced an alert threshold for nitrogen dioxide and reinforced monitoring for sulphur dioxide. She also agreed with including islands, ensuring the understandability of information provided to the public and reviewing the directive in 2003. However, the Commissioner could not accept Amendments Nos 7, 20 and 27 on particulates due to continuing difficulties with measuring their concentration. She also rejected Amendments Nos 8 and 34 which introduced exceptions for industrial zones emitting lead. Likewise, Amendment No 40, which went beyond the content of the proposal, and Amendments Nos 15, 16, second part, 37, 38 and 39, which fixed overly stringent limit values for sulphur dioxide, were rejected as their application would be difficult in certain southern regions of Europe.

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

In adopting the report by Mrs Anita POLLACK (PSE, UK) Parliament called for clear information to be provided to the public and the relevant organizations. Information on ambient concentrations of sulphur dioxide, oxides of nitrogen and particulate matter should be updated on an hourly basis and, in the case of lead, on a three-monthly basis. Alert thresholds were set for nitrogen dioxide and particulate matter. In the event of the alert thresholds being exceeded, the minimum information to be supplied to the public should include: date, hour and place of the

occurrence, forecasts as regards the change in concentrations, the geographical area concerned and the duration, the type of population potentially sensitive to the occurrence and lastly the precautions to be taken. Parliament also strengthened certain requirements with regard to sulphur dioxide. Sampling points should be situated in such a way as to include information on small islands. Parliament called for the sampling points provided for the protection of ecosystems and the vegetation to be sited beyond 20 km from agglomerations or 5 km from a built-up area, an industrial installation or major road. Exceptionally Member States might designate zones within which the limit value for lead could not be met by 1 January 2005 owing to concentrations of lead due to industrial processes. However these limit values had to be attained by 1 January 2010. Parliament called on the Commission to review the directive before 30 September 2003. In order to facilitate this review the Commission and the Member States should encourage and support research into the effects of pollutants such as sulphur dioxide, oxides of nitrogen, particulate matter and lead. ?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

The Commission's amended proposal takes over totally or partly 19 of the 28 amendments adopted by Parliament at first reading. The amendments introduced by the Commission have the following effects: - setting of an alert threshold for NO₂, based on a threshold for effects in sensitive subjects; - clarification of provisions requiring up-to-date information to be easily available to the public; - clarification on where ecosystem and vegetation limit values will apply; - simplification and strengthening of requirements relating to the measurement of pollution; - adaptation of measurement requirements to the situation of small islands, particularly those whose populations fluctuate because of tourism; - statement of the Commission's intention to submit revised proposals if necessary when it reports to Parliament and the Council in 2003 on implementation of the proposal for a directive; - statement of the importance of research on air pollution as a basis for any such revised proposals. The Commission was unable to accept the amendments seeking to: - define an alert threshold for PM₁₀; - specify the methods by which information should be sent to NGOs; - delete the public information indicators; - call on the Commission to encourage research on air pollution; - make the limit value for SO₂ markedly more stringent. ?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

The Council's common position has taken over in full or in part 21 amendments adopted by the European Parliament at first reading, of which three were originally rejected by the Commission. The latter amendments regard the deletion of the public information indicators, as well as the provisions for time-limited derogations in respect of lead in certain areas to take account of specific circumstances. The main amendments included by the Council deal with the following points: - preamble: additional 'whereas' clauses were inserted to stress that those of the Directive are minimum requirements. It is also specified that adaptations via the Committee's procedure cannot have the effect of weakening the limit values or alert threshold; - special circumstances: in special, non-controllable, circumstances (e.g. natural events or specific climatic/geographic conditions) which could lead to limit values being exceeded, Member States would be under the obligation to intervene only in respect of exceedances not due to those special circumstances, provided that they make available to the Commission the necessary justification; - information to the public: the Council has made clearer and more consistent the provisions to inform the public; the obligation to send to the Commission the list of organisations notified has been cancelled; - review: the Council has strengthened the review clause by indicating the main points which should be covered (limit values for all types of particulates and for nitrogen dioxide). The review should take into account the latest scientific research; - alert threshold for sulphur dioxide (Annex I): the Council has agreed a 500 µg/m³ (the Commission proposed 350 µg/m³); - possible exceedances of the hourly limit value for NO₂ (Annex II): the Council has raised the number of possible exceedances to 18 per year, given in particular the difficulties to meet the limit values associated with specific climatic conditions; - limit values for particulate matter (Annex III): the common position provides as follows: . to render less severe the limit values for PM₁₀ to be met by 2005 (35 instead of 25 exceedances for the daily value; 40 µg/m³ instead of 30 for the annual limit value); . to set only indicative limit values for PM₁₀ as regards the second stage to be implemented by 2010; - not to include at this stage provisions relating to PM_{2.5} on the understanding that the review scheduled for 2003 would specifically address these points; - reference methods (Annex IX): in the absence of internationally agreed standards, the Council agreed on a reference method to be used for sampling and measurement of PM₁₀, and on a provisional reference method for PM_{2.5} , on the understanding that the Commission will carry out intercomparison exercises in order to provide information for a review of those two methods; - date of implementation: the Council agreed on a period of two years after entry into force. ?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

The Commission considers that this text represents an acceptable compromise, the level of ambition that it embodies remaining close to that of the original proposal. The text is the result of intensive negotiations, during which new technical information was brought forward, most notably on the comparability of different methods of measuring PM₁₀. The resulting limit values are in some cases a weakening of the Commission's original proposal. Other aspects of the proposal have been strengthened, in particular by the addition of an alert threshold for NO₂ and clarification of the new framework for providing regular information on air quality to the public. ?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

The "great car culture" was fingered as the principal villain by rapporteur Mrs Anita POLLACK (PES, UK) as her recommendation for a second reading of a measure to combat air pollution was adopted unanimously by the Committee. While industry bore some responsibility, she said, it was traffic that was mainly to blame. Under the cooperation procedure, the committee amended the common position of Council on a Commission proposal for a directive on limit values for four air pollutants: sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead. The proposal is part of an integrated package of measures (including the auto/oil programme) envisaged by Commission to fight air pollution. Of the 28 amendments adopted by Parliament at first reading last May, 20 had largely been accepted by the Council and some of the rest were accepted in part. The 11 amendments adopted yesterday by the committee were designed, inter alia, to improve the flow of information to the public and reinstate some of the original parameters which had been weakened by Council. The committee was also anxious that a derogation (from the parameters set) applicable in the event of high winds should not be abused to cover, as the rapporteur described it, "any old wind that blows". Hence members restricted the derogation to "exceptional" high winds. While accepting some of the

committee's amendments, the Commission representative said that, recognizing the difficulties posed for many Member States by the limits it had originally proposed, her institution had reluctantly agreed to the weakened specifications wanted by Council. Member States have until the end of next year to transpose the directive into national law. By the end of 2003 the Commission must submit a report reviewing its application.?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

At its second reading under cooperation procedure, the decision on a common position with a view to the adoption of a Council Directive relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air was approved by the European Parliament together with a number of amendments. These relate to the wording of the text, the provision of information to the public and the "alert threshold" at which warnings should be issued. With regard to information, the Parliament wishes to make minimum provision that any exceedances of the concentrations of these substances in the air should be indicated and, whenever possible, whether the pollution levels are above, below or equal to the limit values and alert thresholds specified by the directive. The Parliament also requires that the Commission should give particular attention to setting alert thresholds, consistent with other pollutants in this Directive, for PM10, PM2.5, or particular fractions of particulate matter, as appropriate. The Parliament's rapporteur was Anita Pollack (UK, PES).?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

The Commission's re-examined proposal accepts amendments which aim in particular to : - improve the definition of "natural occurrence" which may justify a derogation at the end of the determination of respect of the limit values fixed for the particles (taking into account geothermal activities and exceptionally violent winds); - state in a more detailed manner how the public can be kept informed of the relation between levels of pollution and limit values; - specify that the demand to make public the plans drawn up in order to ensure the respect of limit values also applies in the areas and agglomerations in which the concentrations of sulphur dioxide due to natural events or the concentrations of particles due to natural events or the winter sanding of roads are not taken into consideration; - specify that the Commission will study the possibility of fixing the alert thresholds for the particles when it prepares a report, by 31/12/2003 at the latest, on the application of the proposal; - determine the date which the margin of exceedance for certain limit values starts to decrease.?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

PURPOSE: to lay down limit values and, as appropriate, alert thresholds, for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air in order to avoid, prevent or reduce harmful effects on human health and the environment; to assess concentrations of these substances on the basis of common methods and criteria; to obtain adequate information and to ensure that it is made available to the public; and to maintain ambient air quality where it is good and improve it in other cases. COMMUNITY MEASURE: Council Directive 1999/30/EC relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air. CONTENT: in accordance with the 1996 Framework Directive on air quality (Directive 96/62/EC), this Directive sets down limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air. The new limit values, which are accompanied by a timetable and a cost/benefit analysis, are based on air quality guidelines adopted by the World Health Organisation (WHO) in 1996. The main provisions of the Directive are as follows: 1) Sulphur dioxide (SO₂): the Directive sets limit values for human health to be met by 01/01/2005 and a limit value for the protection of ecosystems to be met by 19/07/2001. It also lays down the alert threshold for sulphur dioxide (500 µg/m³ measured over three consecutive hours at locations representative over at least 100 km²). The public has to be informed in the event of this threshold being exceeded. 2) Nitrogen dioxide (NO₂) and oxides of nitrogen (NO_x): the Directive sets the limit values for the protection of human health (the hourly limit value is set at 200 µg/m³, not to be exceeded a calendar year). These values will have to be met by 01/01/2010 at the latest. It also sets an annual limit value for the protection of vegetation (30 µg/m³ NO_x), to be met by 19/07/2001. The Directive lays down an alert threshold for nitrogen dioxide (400 µg/m³ measured over three consecutive hours at locations representative of air quality over at least 100 km²). 3) Particulate matter (PM₁₀): limit values for human health are laid down for 2005 and, for indicative purposes, 2010. In stage 1, the daily limit value for the protection of human health is 50 µg/m³ which cannot be exceeded more than 35 times a calendar year. No provisions are made at this stage with respect to the PM_{2,5}, given that it is intended that the re-examination planned for 2003 will deal specifically with this point; It should be noted, with respect to particulates, that Member States will only be required to intervene in regard to exceedances that are not a result of natural events (volcanic eruptions, seismic activities, geothermal activities, high wind events, etc.), provided that they provide the necessary justifications to the Commission. 4) Lead: the annual limit value for the protection of human health is set at 0,5 µg/m³. This limit value has to be met by 01/01/2005, or 01/01/2010 in the immediate proximity of specific sources situated on sites contaminated by decades of industrial activities. The Directive also requires the Member States to ensure that up-to-date information on ambient concentrations of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead is routinely made available to the public, as well as to the appropriate environmental protection organisations. No later than 31/12/2003, the Commission will submit to the European Parliament and the Council, a report concerning the implementation of the Directive, bearing in mind the latest results of scientific research. ENTRY INTO FORCE: 19/07/1999. DEADLINE FIXED FOR TRANSPOSITION: 19/07/2001.?

Ambient air quality: limit values for sulphur dioxide, oxides of nitrogen, particulate matter and lead

The European Commission has presented its review of Council Directive 1999/30/EC relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air, with consideration of Council Directive 96/62/EC on ambient air quality assessment and management. This review is based on the most recent scientific understanding but focuses on experience to date and suggests planned amendments via Comitology procedure.

The Directive entered into force on 19 July 1999 and had to be transposed into national law within two years. Despite the limited experience with the first daughter Directive, it is already clear that the concept of air quality legislation has been successful in terms of raising public and

political awareness of remaining air quality problems and promoting effective action to reduce air pollution throughout the EU. However, only three Member States (UK, Belgium and Sweden) have submitted plans or programmes to improve air quality. In 2004, the Commission started infringement procedures against ten Member States for not submitting plans or programmes on time, or because the plans submitted were incomplete.

According to the report, it is important to set air quality limit values. While tighter air quality limit values are recognised as important and useful further clarification and guidance on the application of limit values will be part of the Thematic Strategy on Air Pollution.

The Commission has launched a contract to gather information on "health relevant ambient air quality measurement". Depending on the results of this contract, the monitoring requirements in the first daughter Directive might be modified.

While continuous action to improve air quality needs to focus on PM10 and NO2 the Commission is also evaluating the effectiveness of short-term measures. The report states that Member States have reported that they comply well with the limit values for SO2 and lead in ambient air, with some exceptions. However, the situation is different for PM10 and NO2 since concentrations of these pollutants at many monitoring stations exceed the limit value plus margin of tolerance.

In addition, all Member States have, to varying degrees, adapted their measurement networks to the requirements of the first daughter Directive. This has helped the harmonisation process. The report does, however, highlight the need for further technical improvements (ensure a sufficient number of rural background stations; ensure a substantial proportion of different station types, such as traffic-related stations and urban background stations; limit the distance from the road where PM10 monitoring is undertaken at traffic related monitoring stations; improve the conditions for applying random sampling; ensure the uniform use of statistical terms (accuracy/uncertainty) and update Annex IX - which describes the reference measurement methods - taking into account the technical development and including the provisions on how to demonstrate equivalence of non-reference methods) which will be adopted by the Commission through Comitology procedure.

While no change in the provisions on air quality modelling is suggested for now, the Commission will follow up this issue.

Lastly, the report states that reporting through electronic means has become more and more but there are considerable delays, and a need for further harmonisation and streamlining.