

Procedure file

Basic information		
SYN - Cooperation procedure (historic) Directive	1996/0276(SYN)	Procedure completed
Industrial pollution: reduction of emissions of volatile organic compounds (VOC)		
Amended by 2002/0301(COD)		
Amended by 2007/0212(COD)		
Repealed by 2007/0286(COD)		
Subject 3.70.02 Atmospheric pollution, motor vehicle pollution		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Consumer Protection	UPE CABROL Christian E.A.	19/03/1997
	Former committee responsible		
	ENVI Environment, Public Health and Consumer Protection	UPE CABROL Christian E.A.	19/03/1997
	Former committee for opinion		
	ECON Economic and Monetary Affairs, Industrial Policy	PPE RÜBIG Paul	02/07/1997
Council of the European Union	Council configuration	Meeting	Date
	Environment	2165	11/03/1999
	Environment	2106	16/06/1998
	Environment	2076	23/03/1998
	Environment	2017	19/06/1997
	Environment	1990	03/03/1997

Key events			
06/11/1996	Legislative proposal published	COM(1996)0538	Summary
03/03/1997	Debate in Council	1990	
07/04/1997	Committee referral announced in Parliament		
19/06/1997	Debate in Council	2017	
09/12/1997	Vote in committee		Summary

09/12/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0406/1997	
13/01/1998	Debate in Parliament		Summary
14/01/1998	Decision by Parliament	T4-0016/1998	Summary
25/03/1998	Modified legislative proposal published	COM(1998)0190	Summary
16/06/1998	Council position published	07187/3/1998	Summary
02/07/1998	Committee referral announced in Parliament, 2nd reading		
13/10/1998	Vote in committee, 2nd reading		Summary
13/10/1998	Committee recommendation tabled for plenary, 2nd reading	A4-0358/1998	
20/10/1998	Debate in Parliament		
21/10/1998	Decision by Parliament, 2nd reading	T4-0611/1998	Summary
15/12/1998	Modified legislative proposal published	COM(1998)0681	Summary
11/03/1999	Act adopted by Council after consultation of Parliament		
11/03/1999	End of procedure in Parliament		
29/03/1999	Final act published in Official Journal		

Technical information

Procedure reference	1996/0276(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amended by 2002/0301(COD) Amended by 2007/0212(COD) Repealed by 2007/0286(COD)
Legal basis	EC before Amsterdam E 130S-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/10242

Documentation gateway

Legislative proposal	COM(1996)0538 OJ C 099 26.03.1997, p. 0032	06/11/1996	EC	Summary
Economic and Social Committee: opinion, report	CES0597/1997 OJ C 287 22.09.1997, p. 0055	28/05/1997	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0406/1997 OJ C 014 19.01.1998, p. 0005	09/12/1997	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0016/1998 OJ C 034 02.02.1998, p. 0057-0083	14/01/1998	EP	Summary

Modified legislative proposal	COM(1998)0190 OJ C 126 24.04.1998, p. 0008	25/03/1998	EC	Summary
Council position	07187/3/1998 OJ C 248 07.08.1998, p. 0001	16/06/1998	CSL	Summary
Commission communication on Council's position	SEC(1998)1035	22/06/1998	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A4-0358/1998 OJ C 341 09.11.1998, p. 0003	13/10/1998	EP	
Text adopted by Parliament, 2nd reading	T4-0611/1998 OJ C 341 09.11.1998, p. 0066-0070	21/10/1998	EP	Summary
Modified legislative proposal	COM(1998)0681	15/12/1998	EC	Summary
Implementing legislative act	32002D0529 OJ L 172 02.07.2002, p. 0057	27/06/2002	EU	
Follow-up document	COM(2010)0593	25/10/2010	EC	Summary

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 1999/13](#)
[OJ L 085 29.03.1999, p. 0001](#) Summary

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

OBJECTIVE: To limit emissions of volatile organic compounds due to the use of organic solvents in certain industrial activities
SUBSTANCE: The proposed directive is one of the measures of the Fifth Action Programme on the Environment and forms part of a strategy comprising measures aimed at an overall reduction of volatile organic compound (VOC emissions) in the European Union, to exceed the reduction of 30% between 1990 and 1999 to which the Commission is committed under the Geneva Protocol on VOC reduction. The proposal relates to 24 main types of installations and procedures, some of them divided into a large number of subsectors. In specific terms it establishes a target for VOC reduction based on the technically and economically feasible reductions in each sector, and Member States are then required to achieve this by implementing emission limit values or by establishing national plans containing other measures which will achieve the same reduction. Moreover, for the individual operator, the Directive's emission limit values allow the achievement of the reduction in the most cost effective way. The proposal also covers solvents which are directly harmful to human health (e.g. carcinogens, mutagens or reprotoxic substances). The 'national plan' option cannot apply to such substances, and reduction measures for these substances must be defined for each installation. It should be noted that installations which, due to the processes they carry out or their small size, emit only small quantities of VOCs, or which would be very difficult to control because they are so large in number, are not covered by the proposal. The following general items apply to all the processes concerned: - general obligations for new and existing installations, those undergoing major modifications and those where several processes considered by the directive are carried out in parallel, - the laying down of general emission limitations and special provisions for toxic and environmentally relevant substances, including stringent emission limit values; - exchange of information on the possibilities for substitution; - general monitoring requirements; - detailed definition of the emission limits and the way they have to be calculated; - provisions on compliance with the given limitations; - obligations concerning the drafting of national programmes; - date of entry into force and timetable for application. The following items are regulated for each process or installation separately: - the size and type of the installations and processes for which specific requirements of the proposed directive apply; - limitations for emissions of organic solvents and/or compounds; - certain special provisions which take into account circumstances particular to a given sector. ?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

The Economic and Social Committee supports the proposal for a directive which seeks to reduce emissions of VOC due to the use of organic solvents in certain processes and industrial installations, subject to the provisos set out below, which refer to the need for the European Commission to: - make an overall assessment of the combined effect of all these measures, in the various regions of the European Union. It may be that proposals are being drawn up which are not justified in cost-benefit terms, or else that additional measures are needed; - develop a uniform reduction methodology for each individual sector involved and strike a balance, in cost-benefit terms, when setting individual reduction levels for each sector; - provide sufficient detail about the criteria on which the definitions of minimum solvent use thresholds and emission levels for each sector are based; - take account of the economic cost which will, in some cases, be very high and the considerable risk of losing competitiveness, and possibly jobs; ?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

A Commission proposal for a directive setting emission limits for industrial solvents was approved with amendments by the Committee. Such solvents contribute to the formation of ozone at ground level, leading to an increase in asthma, headaches, eye problems and heart disease. As a result, the Commission has put forward a directive to reduce solvent emissions from certain craft and industrial activities by nearly 70% (compared with 1990 levels). The committee adopted, with amendments, a draft report (cooperation, first reading) by Mr Christian CABROL (UPE, F) on the Commission proposal for a Council directive on the limitation of emissions of volatile organic compounds (VOCs) due to the use of organic solvents in certain industrial activities. The industries involved include over 400 000 firms, many of them SMEs, accounting for nearly 10 million jobs in some 20 economic sectors. The estimated cost of implementing the directive varies from around ECU 4 billion (according to the Commission) to ECU 80 billion (according to a German academic study). Solvents are used in a wide range of industries, (eg. dry cleaning, pharmaceutical manufacture, the painting of road and rail vehicles). In amending the proposal, the committee threw out a Commission proposal to exempt from the need to implement emission limits those Member States which had drawn up national plans for reducing VOC emissions. Such plans, according to the Commission, were a new tool that was being used for the first time in this area to promote subsidiarity. The committee, however, opted for harmonized provisions which would provide a Community-wide level playing field and prevent unfair competition. The committee also rejected a provision in the Commission proposal which would have enabled many small and medium-sized installations to benefit from "somewhat less stringent" requirements as regards emission limits. However, limits may be exceeded where a firm using the best available technology can demonstrate that it is technically and financially impossible to stay within them. The committee also called for preventive measures to protect the health of workers using solvents. Once the directive is adopted, Member States will have two years in which to transpose it into national law. Existing installations will have until October 2007 to comply with the directive's requirements. Member States which have already adopted VOC-reducing measures but ones which are incompatible with the directive will have until 2010 to fall into line. However, the committee introduced a new provision permitting Member States to impose more stringent restrictions. ?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

Pointing out that the proposed directive envisaged a number of solutions from which enterprises could choose, the rapporteur stressed that the Commission should supplement its proposal by including a new initiative covering paint used in the building industry or by weekend painters doing DIY. In this respect, Mr Cabrol suggested an information campaign promoting the staggering throughout the year of painting work by non-professionals which contributed to ozone peaks during the summer because of the heat. He also called for better consumer information and the raising of awareness in the industry generally so that producers made paint containing fewer solvents. Commissioner Bjerregaard said that Amendments Nos 4, 11, 13, 15, 17, 18, 21, 23, 25, 26 (in part) and 37 were acceptable. However, she rejected Amendments Nos 3, 6, 8, 19, 22, 28, 29, 30, 36, 38, 42, 43 and 45-47.

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

In adopting the report by Mr Christian CABROL (UPE, F), the European Parliament approved the proposal for a Directive on limitation of emissions of volatile organic compounds from industrial solvents, while at the same time rendering it more stringent. In its amendments, Parliament called for: - deletion of the exemption from the requirement to comply with these limit values for Member States which have already drawn up national emission reduction plans. The report considers it preferable to harmonize provisions, so that action can be taken throughout the Community and unfair competition can be avoided; - deletion of the provision permitting certain small and medium-sized installations to be subject to less strict limit values for emissions in many cases; - the application of preventive measures to protect the health of workers using solvents; - the option for Member States, by means of national legislation, to impose more stringent reductions in VOC emissions than required by the Directive; - Member States to be given two years to transpose the Directive after its adoption. ?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

The amended proposal takes up the amendments which seek in particular to: - clarify and further the principles of the Commission proposal; - specify that the fugitive emission limit values may not be exceeded except where the operator can demonstrate that it is technically and financially impossible to stay within those limits and that he is using the best available technology; - replace the transposition date fixed at 31 December 1999 by a date linked to the entry into force of the Directive (the Commission provides for a transposition period of 18 months); - extend in Annex I the vehicle refinishing definition to rail vehicles and vehicles of category O; - raise, in Annex III(A), the threshold concerning the pharmaceuticals manufacturing sector from 50 tonnes per year to 100 tonnes per year and to specify explicitly that the fugitive emission limit does not include solvents sold with the finished products in a closed container. The Commission did not accept the amendments calling for removal of exemption from the obligation to observe these limit values for Member States which have already drawn up national plans for the reduction of these emissions. ?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

The Council common position has incorporated all or part of ten of Parliament's proposed amendments which had been included in the Commission's amended proposal. In particular, these amendments aimed to: - add to the text a definition of 'solvent input', - establish an information system under the report procedure, - provide a more exact definition of dry-cleaning, - make the requirements for fugitive emission limit values binding, unless operators can prove that it is technically and economically impossible to respect these limits and that they are using the best available technique, - add to the points to be included in the exchange of information the health risks of occupational exposure, - redefine 'coating activity' to include an explicit reference to trailers (Annex I), - include a total emission limit value for some leather coating activities (Annex IIA), - extend the deadline for transposing the directive to two years. Some of the amendments accepted by the Commission have not been incorporated in the common position. These concern: - the zero threshold for the vehicle refinishing sector (the Council

considers that a threshold of 500 kg per year is more appropriate at this stage), - the option for Member States to exempt plants from carrying out solvent management plans if they operate in accordance with the best available technique as stipulated in the sectoral agreement. The Council has changed the amended proposal in the following respects: - definitions: all the definitions have been put together in a single article, - requirements: the common position allows Member States the option, under certain conditions, to grant exceptions to the fugitive emission value where it is technically and economically not feasible not to exceed them (the concept of a guide value has been abandoned), - national plans: the potential field of application for the plan option is restricted to existing installations and excludes surface and dry cleaning sectors and activities using risk phrase substances; the plan must be accompanied by a range of supplementary elements to help the Commission to evaluate the objectives to be achieved, - monitoring and compliance with emission limit values: a clear distinction has been made between monitoring and compliance with emission limit values, - non-compliance: the prohibition on operating an installation which does not comply with the provisions of the directive has been replaced by 'suspension' of operation, - information systems and reporting: the Commission is to report to Parliament and the Council on implementation of the directive, - committee: a specific consultative committee has been set up to assist the Commission in implementing the national plans, - thresholds and emission controls (Annex IIA): the Council has made certain changes, the most important being: . all sectors: introduction of a new column for total emission limit values, . sector 1 (headset, web offset printing) and 3 (other rotogravure): deletion of the guide values for fugitive emission values, . increase of total emission limit values for the footwear, rubber conversion, vegetable oil, extraction and pharmaceutical product manufacturing sectors. ?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

The Commission considers that the common position does not change the technical approach and fundamental objectives of the proposal and that some aspects have been clarified or reinforced. In particular: - the link between the proposal and Council Directive 96/61/EC is more explicit; - the Member States' margin of manoeuvre for applying the national plan option has been restricted and additional conditions imposed. ?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

House-painters and home decorators should be included within the scope of a proposed directive to limit the emission of industrial solvents which can damage people's health, the Committee insisted when it adopted a recommendation for a second reading of the measure. Such solvents contribute to the formation of ozone at ground level, causing asthma, respiratory illnesses, eye problems and even the death of vulnerable individuals. The directive, as proposed in the common position, deals with industrial and craft activities accounting for 70% of emissions of volatile organic compounds (VOCs). However, the committee has retabled an amendment so that the measure will also cover paint used by house builders and DIY home decorators, which accounts for the remaining 30% of VOC emissions. Another amendment includes a requirement that Member States take appropriate measures to promote development of the best available techniques to minimize the emission of organic solvents and compounds into the environment. The committee retabled an amendment stressing the need for preventive measures for workers who regularly come into contact with organic solvents. Solvents are used in a wide range of industries, including dry cleaning, pharmaceutical manufacture, wood impregnation, rubber processing and printing. The industries involved include over 400 000 firms, many of them SMEs, accounting for nearly 10 million jobs in some 20 economic sectors. The estimated cost of implementing the directive varies from around ECU 4 billion (according to the Commission) to ECU 80 billion (according to a Franco-German academic study).?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

Parliament adopted the recommendation for second reading by Mr Christian Cabrol (UPE, F) on volatile organic compounds (VOCs). The directive as presented in the common position covers industrial and craft activities, which may be responsible for more than 70% of emissions of volatile organic compounds (VOCs). One amendment was re-presented to bring under the scope of the provisions paints for buildings used by professional painters and for DIY, which are responsible for the remaining 30% of VOC emissions. Another amendment emphasises the need to take preventive measures for workers regularly in contact with organic solvents. The Member States are called upon to take the appropriate measures to promote the development of best available techniques. Member States which have progressed further than the Community in substituting dangerous organic solvents must be permitted to impose more stringent restrictions. ?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

The revised Commission proposal incorporates Parliament's amendments which seek to: - add data on occupational exposure to information exchange activities; - introduce a less strict provision for determining compliance with the requirements of the proposed directive; - extend the definition of vehicle refinishing to trailers (vehicle category O); - limit the scope of the derogation for less stringent emission limits (without accepting a reduction in consumption thresholds).?

Industrial pollution: reduction of emissions of volatile organic compounds (VOC)

PURPOSE: to limit emissions of volatile organic compounds (VOC) due to the use of organic solvents in certain activities and installations. COMMUNITY MEASURE: Council directive 1999/13/EC. CONTENT: the directive has the objective of preventing or limiting the direct and indirect effects of VOC emissions into the environment, mainly into air, and the potential risks to human health, by providing measures and procedures to be implemented for the activities defined in Annex I of the directive, in so far as they are operated above the solvent consumption thresholds listed in the directive's Annex IIA. The directive lays down obligations to be applied to new and existing installations. As far as respect for the essential requirements is concerned, the directive provides for the possibility, under certain conditions, for Member States to allow exemptions where it is technically and economically impossible not to exceed the emission values laid down in the directive.

Member States may establish national plans for the reduction of emissions resulting from the activities and industrial installations covered by the directive. The potential field of application of the national plan option is limited to existing installations. The surface cleaning and dry cleaning sectors are excluded, as are activities recognised as involving a period of risk. Furthermore, the plan must be accompanied by supporting documentation to allow the Commission to assess the objectives to be achieved and, in particular, details of the proposed mechanism for monitoring the plan's implementation. The Member States must require the operator of the installation to provide the competent authority, once a year or on request, with the necessary data to enable that authority to verify compliance with the directive. In cases of non-compliance causing immediate danger to human health, the activity must be suspended until compliance has been re-established. The Commission shall ensure that an exchange of information takes place between the Member States and the activities concerned on the use of organic substances and their potential substitutes. In particular, it shall consider their potential effects on human health (particularly occupational exposure), their potential effects on the environment and their economic consequences (costs/benefits). Every three years, the Member States must send the Commission a report containing information on the directive's implementation. On this basis, the Commission will submit a report to the European Parliament and the Council on the directive's implementation. ENTRY INTO FORCE: 29/03/1999. DEADLINE FOR TRANSPOSITION: April 2001.?