

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1998/0333(COD) Procedure completed
Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)	
Repealed by <a href="#">2005/0183(COD)</a>	
Subject 3.70.02 Atmospheric pollution, motor vehicle pollution	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ENVI</b> Environment, Public Health, Consumer Policy	V <a href="#">BREYER Hiltrud</a>	21/01/1999
	Former committee responsible		
	<b>ENVI</b> Environment, Public Health and Consumer Protection	V <a href="#">BREYER Hiltrud</a>	21/01/1999
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2300</a>	23/10/2000
	<a href="#">General Affairs</a>	<a href="#">2254</a>	10/04/2000
	<a href="#">Environment</a>	<a href="#">2235</a>	13/12/1999
	<a href="#">Environment</a>	<a href="#">2207</a>	12/10/1999
European Commission	Commission DG	Commissioner	
	<a href="#">Environment</a>		

Key events			
01/12/1998	Legislative proposal published	COM(1998)0591	Summary
12/03/1999	Committee referral announced in Parliament, 1st reading		
12/10/1999	Debate in Council	<a href="#">2207</a>	
16/11/1999	Vote in committee, 1st reading		Summary
16/11/1999	Committee report tabled for plenary, 1st reading	<a href="#">A5-0065/1999</a>	
01/12/1999	Debate in Parliament		
02/12/1999	Decision by Parliament, 1st reading	<a href="#">T5-0131/1999</a>	Summary

10/04/2000	Council position published	<a href="#">05860/1/2000</a>	Summary
11/04/2000	Modified legislative proposal published	COM(2000)0223	Summary
13/04/2000	Committee referral announced in Parliament, 2nd reading		
20/06/2000	Vote in committee, 2nd reading		Summary
20/06/2000	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A5-0166/2000</a>	
05/07/2000	Debate in Parliament		
06/07/2000	Decision by Parliament, 2nd reading	<a href="#">T5-0320/2000</a>	Summary
23/10/2000	Act approved by Council, 2nd reading		
16/11/2000	Final act signed		
16/11/2000	End of procedure in Parliament		
13/12/2000	Final act published in Official Journal		

### Technical information

Procedure reference	1998/0333(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Repealed by <a href="#">2005/0183(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 175-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/5/12680

### Documentation gateway

Legislative proposal	<a href="#">COM(1998)0591</a> <a href="#">OJ C 053 24.02.1999, p. 0008</a>	01/12/1998	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0333/1999</a> <a href="#">OJ C 138 18.05.1999, p. 0042</a>	25/03/1999	ESC	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0065/1999</a> <a href="#">OJ C 194 11.07.2000, p. 0004</a>	16/11/1999	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T5-0131/1999</a> <a href="#">OJ C 194 11.07.2000, p. 0015-0056</a>	02/12/1999	EP	Summary
Council position	<a href="#">05860/1/2000</a> <a href="#">OJ C 195 11.07.2000, p. 0001</a>	10/04/2000	CSL	Summary
Modified legislative proposal	COM(2000)0223 <a href="#">OJ C 274 26.09.2000, p. 0091 E</a>	11/04/2000	EC	Summary
Commission communication on Council's position	SEC(2000)0662	13/04/2000	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	<a href="#">A5-0166/2000</a> <a href="#">OJ C 121 24.04.2001, p. 0010</a>	20/06/2000	EP	

Text adopted by Parliament, 2nd reading	<a href="#">T5-0320/2000</a> <a href="#">OJ C 121 24.04.2001, p. 0164-0385</a>	06/07/2000	EP	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2000)0525	04/08/2000	EC	Summary

#### Additional information

European Commission

[EUR-Lex](#)

#### Final act

[Directive 2000/69](#)  
[OJ L 313 13.12.2000, p. 0012](#) Summary

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

**PURPOSE:** to present a proposal for a Council directive relating to limit values for benzene and carbon monoxide in ambient air. **CONTENT:** the proposal fixes limit values including attainment dates for benzene and carbon monoxide, gives requirements for assessment of concentrations, and provides for the dissemination of information about the pollutants to the public. In preparing the ground for this proposal, account was taken of the requirements for such daughter legislation set out in the Air Quality Framework Directive. Based on the framework directive's four objectives, the objectives of the current proposal are to: - establish limit values for concentrations of benzene and carbon monoxide in ambient air intended to avoid, prevent or reduce harmful effects on human health and the environment as a whole; - assess concentrations of benzene and carbon monoxide in ambient air on the basis of common methods and criteria; - obtain adequate information on concentrations of benzene and carbon monoxide in ambient air and ensure that it is made available to the public; - maintain ambient air quality where it is good and improve it in other cases with respect to benzene and carbon monoxide. For benzene, the limit value is set at 5µg/m<sup>3</sup> averaged over a calendar year with a margin of tolerance of 5µg/m<sup>3</sup> (100%) on the Directive's entry into force, reducing on 1/1/2003 and every year thereafter by equal annual percentages to reach 0% by 1/1/2010 (date of attainment). Exceptionally, extensions may be agreed for periods of up to five years for areas where it can be demonstrated that meeting the limit value for benzene by 2010 would cause severe socio-economic difficulties. For carbon monoxide, the limit value is set at 10mg/m<sup>3</sup> averaged over eight hours (on a rolling basis) with a margin of tolerance of 5mg/m<sup>3</sup> (50%) on the Directive's entry into force, reducing on 1/1/2003 and every year thereafter by equal annual percentages to reach 0% by 1/1/2005 (date of attainment). The Commission considers it inappropriate to establish alert thresholds for benzene and carbon monoxide in ambient air and so has made no provision for these in its proposal. With regard to the assessment of concentrations of these two air pollutants, thresholds are established to determine the methods of assessment (continuous measurement, indicative measurement, modelling, objective assessment) to be used in an agglomeration or other zone. Provision is also made for the siting of measurement points. If information from measurement stations is the sole source of data reported to the Commission from a zone or agglomeration, a minimum number of stations is specified. However, the framework directive enables other methods to be used, even in zones and agglomerations where continuous measurement is mandatory. Where a full analysis has been carried out the number of continuous stations required depends on the overall quality of the information available. Until the CEN has completed its new harmonised standards for air quality measurement, the present proposal carries forward the existing reference methods for benzene and carbon monoxide. Member States are required to supply regular and up-to-date information about benzene and carbon monoxide to the public and appropriate organisations. The Commission must produce a report to Council and the European Parliament no later than 31/12/2004 on implementation of the directive and progress in understanding of the pollutants with which it deals, with particular attention to research into their effects on human health.?

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

The committee adopted the report by Mrs Hiltrud BREYER (Greens/EFA, D) amending the proposal for a directive (codecision procedure, first reading). The committee broadly welcomed the Commission proposal, which it judged to be well thought out and realistic. It adopted a number of amendments designed inter alia to ensure that the public is provided with more comprehensive information which is clear and comprehensible, easily accessible and fully up-to-date, making information a basic component of the Directive in line with Parliament's general policy. The amendments also seek to underline the precautionary principle with a view to ensuring greater protection of public health and, where economically feasible, increasing the proposed standards still further.

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

The Parliament adopted its report drafted by Ms. Hiltrud BREYER (Green, D) on the Commission's proposal on limit values for benzene and carbon monoxide in ambient air. The Parliament introduced a number of amendments of which the main ones are: - Member States may maintain or introduce more stringent protective measures in order to protect the health of sensitive populations such as children and hospital patients and may provide that limit values are observed by an earlier date than that provided for in this Directive; - a new recital that states that

given benzene as a carcinogenic, genotoxic product for humans, there is no threshold value below which it poses no threat for human health; - a new recital recognising that air pollution in enclosed spaces may constitute a substantial source of contamination through benzene and volatile organic compounds; - a new recital urging that information on the measured levels of benzene and carbon monoxide concentrations should be forwarded to the Commission as a basis for regular reports; - information on concentrations should also be made available using telex, internet, telephone or fax and a list of the notified organisations should be forwarded to the Commission; - information on ambient concentrations of carbon monoxide shall be updated at least on a daily basis or, where feasible, on an hourly basis; - the Commission's report to the EP and the Council on the experience acquired in the application of this Directive should pay particular attention to sensitive populations, as well as review to what extent the limit value for benzene should be reduced; - the Commission should propose an action programme on air pollution in enclosed spaces as a complement to Community legislation on outside air; - Member States, before 31.12.2001, shall provide information on the location and number of sampling points and the reference measurement techniques and reference modelling techniques; - in Annex IV, the Parliament adds to the 5th indent, 3rd subindent by requiring that, for benzene, inlets should be no more than 5 metres from the kerbside; - in Annex V, the EP adds that at least half and not less than one of the sampling points should be traffic-orientated and at least one should be urban-background-orientated; - lastly, the Parliament, in Annex VI (1) introduces a new paragraph that states that, for benzene, Member States may apply random measurement instead of continuous measurement if they can demonstrate to the Commission that the accuracy, including the uncertainty due to random sampling, meets the data quality objective of 25% set for continuous measurement.?

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

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The Council's common position has adopted fully or partly all but one of the European Parliament amendments accepted by the Commission. The one not accepted is amendment 11. The most significant innovations introduced by the Council relate to the possibility of granting one time-limited extension to Member states. An addition to the recital explains the reason. Article 3 restricts the single time-limited extension to 5 years and has provided for a series of strict criteria to be met and full justification to be given. In particular, the Council has added an upper ceiling of 10ug/m cubed to the concentration limit value where such an extension may be granted. The Council has changed the original commission proposal in that it has deleted the requirements that the Commission propose an absolute limit to the length of any further extensions which may be agreed under Article 3. Any proposals for a review of the Directive, which could include further extensions to the timetable for meeting benzene limit values as set out in Annex I, accompanying possibly the Commission's report of 2004, are subject to the condition of maintaining a high level of protection of human health and environment.?

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

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The Commission's amended proposal contains four amendments formulated to bring the text of current proposal in line with the Directive 1999/30/EC. Another four amendments respond to the Parliament's first reading by extending Member States' obligations to forward information on assessments and concentrations to the public and the Commission. Two amendments give due consideration to the health risks related to benzene which is a genotoxic carcinogenic. The amendments not accepted include the following: -those amendments which refer to indoor air quality, since the scope of the proposal is restricted to ambient air which is defined as outdoor air only in the framework Directive 96/62/EC. -The amendment to the siting requirements are not in accordance with general technical advice and are not compatible with daughter Directive 1999/30/EC. -The Commission considers the possibility of derogations from the directive as necessary, but extensions may be limited to five years and the conditions for derogations should be made clear and explicitly tightened.?

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

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The Commission agrees with the text of the common position, which takes into account most of the concerns Parliament expressed during its first reading without weakening the Commission's original proposal. In particular, concerning the possibility of derogations from the general deadline for meeting the limit value of benzene, the Commission considers the text to be an acceptable compromise. It provides flexibility in the absence of good data on present day concentrations of benzene whilst ensuring that extensions cannot be granted unless it is clearly demonstrated that they are essential.?

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

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The committee adopted the recommendation for second reading (codecision procedure) by Hiltrud BREYER (Greens/EFA, D) approving the Council's common position on limit values for benzene and carbon monoxide in ambient air subject to a few amendments, designed mainly to reintroduce a number of points made by Parliament at first reading. These included the need to take air pollution in enclosed spaces into account as well as that in outside air and the importance of keeping the public comprehensively informed, for example via the Internet.?

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

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The European Parliament in its second reading recommended by Hiltrud BREYER (Greens/EFA, Germany) on benzene and carbon monoxide

in air pollution adopted the Council's common position. A slight amendment was made, asking for research to take air pollution in enclosed spaces into account, as well as that in outside air.?

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

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The Commission accepts the Parliament's amendment on second reading. Though the Directive exclusively addresses ambient air, the Commission agrees that all aspects of health effects should be considered under the review.?

## Atmospheric pollution, air quality: limit values for benzene and carbon monoxide CO (direct. 96/62/EEC)

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PURPOSE : to fix for the first time the limit values for benzene and carbon monoxide in ambient air. COMMUNITY MEASURE : Directive 2000/69/EC of the European Parliament and of the Council. CONTENT : the Directive provides a limit value for benzene of 5µg/m<sup>3</sup> to be attained by 1/1/2010 and a limit value of 10mg/m<sup>3</sup> for carbon monoxide to be attained by 1/1/2005. In order to reach these objectives, it is necessary to reduce benzene emissions by 70% and carbon monoxide emissions by one third. It should also be noted that the Council approved the European Parliament's amendment which introduces the request to take pollution in enclosed spaces into account when the Directive is updated in 2004. ENTRY INTO FORCE : 13/12/2000. DEADLINE SET FOR TRANSPOSITION : 13/12/2002. ?