


Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) 1992/0425(COD) Directive</p>	Procedure completed
<p>Control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations, Stage 1</p> <p>See also 2008/0229(COD) Amended by 2016/0394(COD)</p> <p>Subject 3.60.02 Oil industry, motor fuels 3.70.02 Atmospheric pollution, motor vehicle pollution</p>	

Key players			
European Parliament Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	1816	12/12/1994
	Economic and Financial Affairs ECOFIN	1777	11/07/1994

Key events			
30/07/1992	Legislative proposal published	COM(1992)0277	Summary
14/09/1992	Committee referral announced in Parliament, 1st reading/single reading		
10/06/1993	Vote in committee, 1st reading/single reading		Summary
10/06/1993	Committee report tabled for plenary, 1st reading/single reading	A3-0188/1993	
24/06/1993	Debate in Parliament		Summary
24/06/1993	Decision by Parliament, 1st reading/single reading	T3-0390/1993	Summary
09/09/1993	Modified legislative proposal published	COM(1993)0422	Summary
04/10/1993	Council position published	08562/1/1993	Summary
24/11/1993	Vote in committee, 1st reading/single reading		
24/11/1993	Committee report tabled for plenary confirming Parliament's position	A3-0365/1993	
02/12/1993	Decision by Parliament, 1st reading/single reading	T3-0683/1993	Summary
16/12/1993	Committee referral announced in Parliament, 2nd reading		
16/02/1994	Vote in committee, 2nd reading		Summary
16/02/1994	Committee recommendation tabled for plenary, 2nd reading	A3-0087/1994	

07/03/1994	Debate in Parliament		
09/03/1994	Decision by Parliament, 2nd reading	T3-0134/1994	Summary
11/07/1994	Parliament's amendments rejected by Council		
20/09/1994	Formal meeting of Conciliation Committee		Summary
08/11/1994	Final decision by Conciliation Committee		Summary
08/11/1994	Joint text approved by Conciliation Committee co-chairs	3634/1994	
12/12/1994	Report tabled for plenary, 3rd reading	A4-0112/1994	
12/12/1994	Decision by Council, 3rd reading		
14/12/1994	Decision by Parliament, 3rd reading	T4-0178/1994	Summary
20/12/1994	Final act signed		
20/12/1994	End of procedure in Parliament		
31/12/1994	Final act published in Official Journal		

Technical information

Procedure reference	1992/0425(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	See also 2008/0229(COD) Amended by 2016/0394(COD)
Legal basis	EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	CODE/3/05675

Documentation gateway

Legislative proposal		COM(1992)0277 OJ C 227 03.09.1992, p. 0003	30/07/1992	EC	Summary
Economic and Social Committee: opinion, report		CES0070/1993 OJ C 073 15.03.1993, p. 0006	27/01/1993	ESC	
Committee opinion	ENER	PE203.944/DEF	30/04/1993	EP	
Committee report tabled for plenary, 1st reading/single reading		A3-0188/1993 OJ C 194 19.07.1993, p. 0004	10/06/1993	EP	
Text adopted by Parliament, 1st reading/single reading		T3-0390/1993 OJ C 194 19.07.1993, p. 0201-0319	24/06/1993	EP	Summary
Modified legislative proposal		COM(1993)0422 OJ C 270 06.10.1993, p. 0012	09/09/1993	EC	Summary
Council position		08562/1/1993	04/10/1993	CSL	Summary

Commission communication on Council's position		SEC(1993)1635	25/10/1993	EC	
Reconsultation		COM(1993)0570	10/11/1993	EC	
Committee final report tabled for plenary, 1st reading/single reading		A3-0365/1993 OJ C 342 20.12.1993, p. 0003	24/11/1993	EP	
Text adopted by Parliament confirming position adopted at 1st reading		T3-0683/1993 OJ C 342 20.12.1993, p. 0015-0033	02/12/1993	EP	Summary
Committee draft report		PE207.842	31/01/1994	EP	
Committee recommendation tabled for plenary, 2nd reading		A3-0087/1994 OJ C 077 14.03.1994, p. 0003	16/02/1994	EP	
Committee draft report		PE207.220	01/03/1994	EP	
Text adopted by Parliament, 2nd reading		T3-0134/1994 OJ C 091 28.03.1994, p. 0039-0082	09/03/1994	EP	Summary
Commission opinion on Parliament's position at 2nd reading		COM(1994)0154	25/05/1994	EC	Summary
Joint text approved by Conciliation Committee co-chairs		3634/1994	08/11/1994	CSL/EP	
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A4-0112/1994 OJ C 018 23.01.1995, p. 0020	12/12/1994	EP	
Text adopted by Parliament, 3rd reading		T4-0178/1994 OJ C 018 23.01.1995, p. 0049-0061	14/12/1994	EP	Summary
Committee draft report		PE209.091	16/01/1995	EP	
Follow-up document		SWD(2017)0065	28/02/2017	EC	
Follow-up document		SWD(2017)0066	28/02/2017	EC	

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 1994/63](#)
[OJ L 365 31.12.1994, p. 0024](#) Summary

1992/0425(COD) - 30/07/1992 Legislative proposal

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1992/0425(COD) - 10/06/1993 Vote in committee, 1st reading/single reading

The ENVI Committee adopted the draft report by Mr Guermeur (RDE, FR). 25 of the 40 amendments presented by the rapporteur, Mr Guermeur, and by Mr Van der Waal, Mr Alber and the Energy Committee were adopted. Most of these amendments were highly technical in nature, although under amendment 36, presented by the rapporteur, it was possible to exclude small capacity service stations in geographically remote places when they had been granted a derogation by their Member State.?

1992/0425(COD) - 24/06/1993 Text adopted by Parliament, 1st reading/single reading

Parliament approved the Commission proposal with 25 amendments substantially to: - authorise the Member States to apply more stringent measures at national level or in certain areas of their territory to protect human health or the environment. This authorisation also extended to oil losses resulting from the loading and unloading of mobile containers at terminals; - exempt service stations located in places where urban speed limits were applicable or those having a throughput of less than 100 m³/year from the application of the Directive on the fuelling of storage installations; - make it compulsory for Member States to provide the Commission with a report containing detailed information on the areas in which national measures were applicable; - draw up an annex setting out specifications for fuelling installations for road tankers; - include maritime shipping in the scope of application of the Directive; - improve publicity of the meetings and deliberations of the advisory committee; - bring forward the date of the first report from the Member States.?

1992/0425(COD) - 24/06/1993 Debate in Parliament

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1992/0425(COD) - 09/09/1993 Modified legislative proposal

The modified proposal accepts eleven of the twenty-five amendments adopted by the European Parliament. The main modifications made to the initial proposal are as follows: - regarding the loss of oil resulting from loading and storage at each storage installation at terminals, Member States may maintain more stringent measures throughout their territory or in geographical areas with a view to the protection of human health or the environment. The same applies to losses of oil resulting from the loading and unloading of mobile containers at terminals; - the provisions of the Directive concerning the filling of storage installations at service stations: .no longer apply to existing service stations located in places where urban speed limits are applicable; .do not apply to service stations with a throughput of less than 100 m³/year; .Member States may grant a derogation for service stations with a throughput of between 100 and 500 m³/year where the latter are located in a geographical area where vapour emissions are unlikely to create environmental or health problems; - every three years, Member States shall inform the Commission of the details of the areas in which national measures apply (nature and timetable of such measures); - finally, the specifications for bottom loading and vapour collection for road tankers are defined in Annex IV of the Directive. However, the Commission rejected Parliament's amendments proposing that: - maritime shipping should be included within the scope of application of the Directive; - the public should have greater access to the meetings and deliberations of the advisory committee; - the date for the first reports by the Member States should be brought forward; - the presentation of the Commission's report should be tied to its obligation to submit proposals to modify the Directive. ?

1992/0425(COD) - 04/10/1993 Council position

The Council adopted the following amendments by the EP in the common position, verbatim, in part or with different wording: Amendments 7, 9, 12, 13, 14 and 23. The Council did not accept the following EP amendments: 2, 6, 32, 18 and 31. Among the amendments not accepted by the Commission, the Council accepted, or accepted with different wording, the following EP amendments: 10 and 11. The Council did not accept the other EP amendments. In its common position, the Council included eleven of the twenty-five European Parliament amendments already included by the Commission in its modified proposal. In particular, the Council accepted the following amendments: - the amendment authorising the Member States to uphold more stringent measures for the protection of human health or the environment; - the amendment permitting the painting of tanks with a reflective paint to be carried out as part of the usual maintenance cycles of the tanks within a maximum additional period of three years relative to the timetable set by the Directive; - the inclusion of a new Annex IV relating to the specifications for bottom-loading, vapour collection and overflow protection of European road tankers. Otherwise, the Council introduced the following new items: - the scope of application of the Directive does not include seagoing ships; - the definition of 'existing' installations has been amended. 'Existing' installations are defined as meaning those which were in operation before the date on which the Directive entered into force or for which operating licences were granted before that date; - the figure indicating the total annual loss of petrol resulting from storage installations at terminals and service stations represents a 'target reference value' and not a mandatory legal limit; temporary derogations have been allowed, subject to the Commission's being notified of the decision: for the United Kingdom and the Netherlands, to allow the implementation of an existing national programme for the environment; - for existing terminals, the minimum throughput qualifying for the three-year adaptation period has been increased from 50 000 to 150 000 tonnes/year; for existing terminals with a throughput of less than 10 000 tonnes/year and for new terminals with a throughput of less than 5 000 tonnes/year located in small remote islands; - for existing service stations, the threshold qualifying for the three-year adaptation period has been increased from 500 to 1 000 m³/year, and from 200 to 500 m³/year for the six-year adaptation period; - for the obligations relating to reflective paint when the protection of certain rural sites justifies it. In the interests of preserving a degree of technical flexibility, the Council decided to: - eliminate the requirement that existing road tankers be fitted with equipment for bottom loading if loading takes place at a terminal to be equipped with a vapour recovery system; - to allow the use of dipsticks for certain measuring operations; - to allow intermediate storage of vapours to be substituted for immediate vapour recovery at terminals with a throughput of less than 25 000 tonnes/year; - providing that new tanks with external floating roofs must achieve an overall containment of vapours of 95%. Finally, the Council did not include any fiscal provision in the Directive and opted for a Type III(a) committee (rather than an ordinary advisory committee) to work on the technical monitoring and adaptation of the Directive; - to allow intermediate storage of vapours to be substituted for immediate vapour recovery at terminals with a throughput of less than 25 000 tonnes/year; - providing that new tanks with external floating roofs must achieve an overall containment of vapours of 95%. Finally, the Council did not include any fiscal provision in the Directive and opted for a Type III(a) committee (rather than an ordinary advisory committee) to work on the technical monitoring and adaptation of the Directive. ?

1992/0425(COD) - 16/02/1994 Vote in committee, 2nd reading

Mr. HEIDER (F, EPP) saw his report adopted on the Council's common position for adoption of the EP and Council Directive. The common position on this issue is a compromise between the Member States with derogations for nearly every single country. In four amendments carried the rapporteur wants to reestablish the necessity to take some measures if the IMO does not act before 1997 and help for SME. Also carried were amendments from Mr. ALBER (D, EPP) on reestablishing the provisions for rail tankers and introducing stricter limit values for new terminals which can contain more than 5000 t. The Commission representative was against the amendments. Amendments carried: 1-8.

1992/0425(COD) - 09/03/1994 Text adopted by Parliament, 2nd reading

Parliament decided to table 7 amendments to the Council's common position. The amendments aimed to: - reaffirm the need to define, at the level of the International Maritime Organisation, valves for vapour control and recovery systems and the adaptation of the Marpol Convention, or failing this adaptation, a definition of the standards applicable to port installations and ships; - authorise the Member States to grant aid or establish incentives for the necessary investment, subject to prior consultation of the Commission; - do away with the exception for rail tankers from the requirement for mobile containers to be designed and operated so as to accept and retain return vapours from storage installations or terminals; - require mobile containers to be equipped with loading gauges; - ensure that the Commission published a report every three years on the application of the directive and its proposals concerning valves for vapour control and recovery systems to loading installations and ships; - provide for the possibility of programming operations for painting tanks with heat-reflecting paint to be carried out as part of the usual maintenance cycles of the tanks within three years. ?

1992/0425(COD) - 25/05/1994 Commission opinion on Parliament's position at 2nd reading

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1992/0425(COD) - 20/09/1994 Formal meeting of Conciliation Committee

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1992/0425(COD) - 08/11/1994 Final decision by Conciliation Committee

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1992/0425(COD) - 14/12/1994 Text adopted by Parliament, 3rd reading

Parliament approved the joint draft directive. ?

1992/0425(COD) - 20/12/1994 Final act

OBJECTIVE: to reduce considerably the evaporative losses which occur at each stage of the petrol storage and distribution chain. MEASURE: European Parliament and Council Directive 94/63/EC on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations. SUBSTANCE: - La Directive applies to the operations, installations, vehicles and inland-navigation vessels used for the storage, loading and transport of petrol from one terminal to another or from a terminal to a service station; - The text provides for a wide range of measures relating to storage installations at terminals, the loading and unloading of mobile containers at terminals, mobile containers and the loading into storage installations at service stations; - The provisions of the Directive which relate to the loading into storage installations of service stations: . do not apply to service stations with a throughput of less than 100 m³/year; . state that Member States may grant a derogation for service stations with a throughput of between 100 and 500 m³/year when the service station is located in a geographic area where vapour emissions do not contribute to environmental or health problems; - The figure for the total annual loss of petrol from storage installations at terminals and service stations which results from loading operations represents a "target reference value", and not a legally binding limit value; - Member States could continue to apply stricter measures in force at national level in order to protect health and the environment; - Member States were to comply with the Directive on or before 31.12.1995. ?