












# Procedure file

Basic information				
COD - Ordinary legislative procedure (ex-codecision procedure) Directive		Procedure completed		
2013/0443(COD)				
Reduction of national emissions of certain atmospheric pollutants				
Repealing Directive 2001/81/EC <a href="#">1999/0067(COD)</a> Amending Directive 2003/35/EC <a href="#">2000/0331(COD)</a>				
Subject				
3.70.02 Atmospheric pollution, motor vehicle pollution 3.70.03 Climate policy, climate change, ozone layer 3.70.18 International and regional environment protection measures and agreements				
Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety			16/07/2014
			 <a href="#">GIRLING Julie</a>	
			Shadow rapporteur	
			 <a href="#">GIESEKE Jens</a>	
			 <a href="#">DANCE Seb</a>	
			 <a href="#">BEARDER Catherine</a>	
			 <a href="#">EICKHOUT Bas</a>	
			 <a href="#">PEDICINI Piernicola</a>	
	Former committee responsible			
	ENVI Environment, Public Health and Food Safety			
	Committee for opinion		Rapporteur for opinion	Appointed
	ITRE Industry, Research and Energy			09/09/2014
			 <a href="#">GIEREK Adam</a>	
	TRAN Transport and Tourism		The committee decided not to give an opinion.	
	REGI Regional Development		The committee decided not to give an opinion.	
	AGRI Agriculture and Rural Development			15/09/2014
			 <a href="#">HUITEMA Jan</a>	
	Former committee for opinion			

	<b>ITRE</b> Industry, Research and Energy		
	<b>TRAN</b> Transport and Tourism		
	<b>REGI</b> Regional Development		
	<b>AGRI</b> Agriculture and Rural Development		
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Employment, Social Policy, Health and Consumer Affairs</a>	<a href="#">3507</a>	08/12/2016
	<a href="#">Environment</a>	<a href="#">3476</a>	20/06/2016
	<a href="#">Environment</a>	<a href="#">3320</a>	12/06/2014
European Commission	Commission DG	Commissioner	
	<a href="#">Environment</a>	VELLA Karmenu	
European Economic and Social Committee European Committee of the Regions			

Key events			
18/12/2013	Legislative proposal published	COM(2013)0920	Summary
13/01/2014	Committee referral announced in Parliament, 1st reading		
12/06/2014	Debate in Council	<a href="#">3320</a>	
20/10/2014	Committee referral announced in Parliament, 1st reading		
15/07/2015	Vote in committee, 1st reading		
28/08/2015	Committee report tabled for plenary, 1st reading	<a href="#">A8-0249/2015</a>	Summary
28/10/2015	Debate in Parliament		
28/10/2015	Decision by Parliament, 1st reading	<a href="#">T8-0381/2015</a>	Summary
28/10/2015	Matter referred back to the committee responsible		
17/02/2016	Committee decision to open interinstitutional negotiations with report adopted in committee		
20/06/2016	Debate in Council	<a href="#">3476</a>	
12/07/2016	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	<a href="#">PE616.593</a> GEDA/T/(2017)007722	
23/11/2016	Results of vote in Parliament		
23/11/2016	Debate in Parliament		
23/11/2016	Decision by Parliament, 1st reading	<a href="#">T8-0438/2016</a>	Summary
08/12/2016	Act adopted by Council after Parliament's 1st reading		
	End of procedure in Parliament		

12/12/2016			
14/12/2016	Final act signed		
17/12/2016	Final act published in Official Journal		

## Technical information

Procedure reference	2013/0443(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Repealing Directive 2001/81/EC <a href="#">1999/0067(COD)</a> Amending Directive 2003/35/EC <a href="#">2000/0331(COD)</a>
Legal basis	Rules of Procedure EP 59-p4; Treaty on the Functioning of the EU TFEU 192-p1
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a> <a href="#">European Committee of the Regions</a>
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/8/00322

## Documentation gateway

Legislative proposal		COM(2013)0920	18/12/2013	EC	Summary
Document attached to the procedure		SWD(2013)0531	18/12/2013	EC	
Document attached to the procedure		SWD(2013)0532	18/12/2013	EC	
Document attached to the procedure		SWD(2013)0537	18/12/2013	EC	
Committee draft report		<a href="#">PE551.932</a>	23/03/2015	EP	
Committee opinion	ITRE	<a href="#">PE541.321</a>	07/05/2015	EP	
Amendments tabled in committee		<a href="#">PE554.952</a>	07/05/2015	EP	
Amendments tabled in committee		<a href="#">PE554.967</a>	07/05/2015	EP	
Amendments tabled in committee		<a href="#">PE557.063</a>	08/05/2015	EP	
Committee opinion	AGRI	<a href="#">PE551.862</a>	02/06/2015	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A8-0249/2015</a>	28/08/2015	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading		<a href="#">T8-0381/2015</a>	28/10/2015	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/T/(2017)007722	05/07/2016	CSL	
Text agreed during interinstitutional negotiations		<a href="#">PE616.593</a>	05/07/2016	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T8-0438/2016</a>	23/11/2016	EP	Summary
Draft final act		<a href="#">00034/2016/LEX</a>	14/12/2016	CSL	

Commission response to text adopted in plenary		<a href="#">SP(2017)8</a>	17/01/2017	EC	
Follow-up document		<a href="#">COM(2020)0266</a>	26/06/2020	EC	
Follow-up document		<a href="#">COM(2021)0451</a>	04/08/2021	EC	

#### Additional information

European Commission	<a href="#">EUR-Lex</a>
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#### Final act

[Directive 2016/2284](#)  
[OJ L 344 17.12.2016, p. 0001](#) Summary

#### Delegated acts

<a href="#">2023/2949(DEA)</a>	Examination of delegated act
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## Reduction of national emissions of certain atmospheric pollutants

**PURPOSE:** to reduce national emissions of certain atmospheric pollutants with a view to addressing the highly significant remaining health risks and environmental impacts posed by air pollution in the Union.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** significant progress has been achieved in the past 20 years in the Union in the field of anthropogenic air emissions and air quality by a dedicated Union policy, including the 2005 Communication from the Commission "[Thematic Strategy on Air Pollution](#)".

Directive 2001/81/EC of the European Parliament and of the Council has been instrumental in this progress by setting caps on Member States' total annual emissions for 2010 onwards of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), ammonia (NH<sub>3</sub>) and volatile organic compounds other than methane (NMVOC). As a result, SO<sub>2</sub> emissions were reduced by 82%, NO<sub>x</sub> emissions by 47%, NMVOC emissions by 56% and NH<sub>3</sub> emissions by 28% between 1990 and 2010.

However, as indicated in the "[Clean Air Programme for Europe](#)" ("revised TSAP"), significant adverse impacts and risks remain on the environment and human health.

There is a need to review and update these requirements to address the highly significant remaining health risks and environmental impacts posed by air pollution in the Union, and to align Union law with new international commitments following a revision of the Gothenburg Protocol in 2012. The revised TSAP sets out new strategic objectives for the period up to 2030 with a view to moving further towards the Union's long-term objective.

**IMPACT ASSESSMENT:** the impact assessment modelled the optimal delivery of the desired reduction, and this optimisation yielded national emission reduction commitments for the six most relevant pollutants. These reduction commitments will reduce total external costs of air pollution by EUR 40 billion (on the most conservative valuation) compared to the EUR 212 billion in the baseline, including direct economic benefits amounting to more than EUR 2.8 billion.

The baseline shall deliver in 2030 a reduction of health burden by 40% as compared to 2005. This proposal delivers an extra 12%, which makes a 52% reduction in total regarding health burden as compared to 2005. For eutrophication, it delivers an extra 50% on top of the baseline.

**CONTENT:** the proposal repeals and replaces the current Union regime on the annual capping of national emissions of air pollutants, as defined in Directive 2001/81/EC.

By doing so:

it ensures that the national emission ceilings (NECs) set in Directive 2001/81/EC for 2010 onwards for SO<sub>2</sub>, NO<sub>x</sub>, NMVOC and NH<sub>3</sub> shall apply until 2020;

establishes new national emission reduction commitments ("reduction commitments") applicable from 2020 and 2030 for SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, fine particulate matter (PM<sub>2,5</sub>) and methane (CH<sub>4</sub>) as well as intermediate emission levels for the year 2025 applicable to the same pollutants.

**National reduction commitments:** the proposal provides that the Member States must limit their annual emissions of SO<sub>2</sub>, NO<sub>x</sub>, NMVOC, NH<sub>3</sub>, PM<sub>2,5</sub> and CH<sub>4</sub>, to meet their reduction commitments applicable from 2020 and 2030.

Furthermore, Member States must limit in 2025 their annual emissions of those pollutants to the levels defined on the basis of a linear reduction trajectory, unless this would require measures entailing disproportionate costs. The proposal also indicates what emission sources

should not be accounted for.

Flexibilities: the proposal entitles Member States to use certain flexibilities, provided that the Commission does not object: to account for a share of NO<sub>x</sub>, SO<sub>2</sub>, and PM<sub>2.5</sub> emission reductions achieved by international maritime traffic under certain conditions; to implement jointly their reduction commitments for CH<sub>4</sub>; and to propose adjusted emission inventories when non-compliance with a reduction commitment (save for CH<sub>4</sub>) results from improved inventory methodology.

In addition, the proposal:

- requires the Member States to adopt, implement and regularly update their national air pollution control programmes (NAPCPs) describing how their reduction commitments shall be met;
- requires Member States to monitor air pollutant emissions and, in so doing, prepare and update national emission inventories and projections to be accompanied by an informative inventory report (IIR);
- states that Member States shall monitor, where practicable, the adverse impacts of air pollution upon water and terrestrial ecosystems ;
- requires Member States to communicate to the Commission, at the dates specified, their NAPCP and any updates and all monitoring information; the Commission, assisted by the European Environment Agency and Member States, shall regularly verify the accuracy and completeness of reported national emission inventory data;
- seeks to promote cooperation between the Commission and Member States with third countries and relevant international organisations to further and better address air pollutant emissions at a global level;
- lays down the provisions on penalties applicable to breaches of the national provisions enacted pursuant to the proposal, on the entry into force and the transposition of the proposal into Member States legislation;
- provides that the Commission shall report every five years on the implementation of this Directive.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

## Reduction of national emissions of certain atmospheric pollutants

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The Committee on the Environment, Public Health and Food Safety adopted the report by Julie GIRLING (ECR, UK) on the proposal for a directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC.

The committee recommended that the Parliaments position adopted at first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Subject matter: the Directive aims at limiting atmospheric emissions of acidifying and eutrophying pollutants, ozone precursors, primary particulate matter and precursors of secondary particulate matter and other air pollutants, thereby contributing to:

- the Union's long-term objective of achieving levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment, in line with the air quality guidelines published by the World Health Organisation;
- the achievement of Union biodiversity and ecosystem objectives by reducing the levels and deposition of acidifying and eutrophying pollutants, and other pollutants, including ground-level ozone, below critical loads and levels;
- the achievement of the air quality objectives set out in legislative acts of the Union;
- the mitigation of climate change impacts by reducing emissions of short-lived climate pollutants and by improving synergies with Union climate and energy policy.

This Directive shall in particular, be aligned with evolving Union and international climate change action, including, but not limited to, the 2030 policy framework for climate and energy and a comprehensive, binding global climate change agreement.

National emission reduction commitments: Members strengthened the Commission proposals and called for more ambitious national ceilings to be met by 2030.

Member States shall:

- limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), non-methane volatile organic compounds (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2.5</sub>) and mercury (Hg) in accordance with the national emission reduction commitments applicable from 2020, 2025 and 2030, as laid down in Annex II; Members called for these commitments to be binding for 2025;
- as a minimum, limit their annual anthropogenic emissions of methane (CH<sub>4</sub>) in accordance with the national emission reduction commitments applicable from 2030, as laid down in Annex II;
- provide, in their reports submitted to the Commission, updates on their progress towards achieving their national emission reduction commitments.

Flexibilities for international maritime transport: Members deleted the Commission proposal concerning the flexibilities allowing Member States to offset NO<sub>x</sub>, SO<sub>2</sub> and PM<sub>2.5</sub> emission reductions achieved by international maritime traffic against NO<sub>x</sub>, SO<sub>2</sub> and PM<sub>2.5</sub> emissions released by other sources in the same year, under certain conditions. They also opposed the Commission proposal to bring forward the reporting date for reporting preliminary emissions for the previous year from 31 December to 30 September.

National air pollution control programmes: these programmes shall:

- consider the cost-effectiveness of emission reduction measures;
- prioritise specific policy measures which aim at reducing risks to the health of vulnerable groups of people and to ensure compliance with the exposure;
- quantify the additional emission reductions needed in order to meet by 2030 ambient air quality levels equal to or below the levels as recommended by the World Health Organisation;
- support the shift of investments towards clean and efficient technologies and sustainable production with the help of fiscal incentives.

The Commission shall ensure that all EU source-based air pollution policies are fit for purpose and contribute towards reaching the Union air quality objectives. To this end, the Commission and the Member States shall immediately agree on the [new Euro 6 Real Driving Emissions \(RDE\) regulation proposal](#) currently under consideration.

Member States shall establish a system of routine and non-routine environmental inspections and market surveillance.

Public consultation: Member States shall ensure that members of the public concerned are consulted at an early stage in the drawing up and review of draft national air pollution control programmes and in any updates of those programmes prior to their finalisation.

Clean Air Fund: the Commission shall facilitate access to financial support to help ensure that appropriate measures can be taken to comply with the objectives of this Directive. This shall include available funding under, inter alia: (a) agricultural funding; (b) future work programmes of the Horizon 2020; (c) European Structural and Investment Funds; (d) funding instruments for the environment and climate action such as LIFE.

The Commission shall set up a European Clean Air Forum to facilitate the coordinated implementation of the Clean Air Programme.

Report: the Commission shall, every 30 months starting from the entry into force, present a report on the implementation of this Directive. In doing so, the Commission shall assess no later than 2025, the progress in the reduction of air pollutants emissions with a view to safeguarding progress towards achieving the World Health Organisation's recommended air quality levels.

## Reduction of national emissions of certain atmospheric pollutants

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The European Parliament adopted amendments to the proposal for a directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC.

The matter had been referred back to the competent committee for re-consideration. The vote on the legislative resolution has been put back to a later session.

The main amendments adopted in plenary are the following:

Subject matter: Parliament specified that the Directive aims at limiting atmospheric emissions of acidifying and eutrophying pollutants, ozone precursors, primary particulate matter and precursors of secondary particulate matter and other air pollutants, thereby contributing to:

- the Union's long-term objective of achieving levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment, in line with the air quality guidelines published by the World Health Organisation (WHO);
- the achievement of Union biodiversity and ecosystem objectives by reducing the levels and deposition of acidifying and eutrophying pollutants, and other pollutants, including ground-level ozone, below critical loads and levels;
- the achievement of the air quality objectives set out in legislative acts of the Union;
- the mitigation of climate change impacts by reducing emissions of short-lived climate pollutants and by improving synergies with Union climate and energy policy.

The Directive shall in particular, be aligned with evolving Union and international climate change action, including, but not limited to, the 2030 policy framework for climate and energy and a comprehensive, binding global climate change agreement.

National emission reduction commitments: Parliament strengthened the Commission proposals and called for more ambitious national ceilings to be met by 2030.

Accordingly, Member States should:

- limit their annual anthropogenic emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), non-methane volatile organic compounds (NMVOC), ammonia (NH<sub>3</sub>), particulate matter (PM<sub>2.5</sub>) and mercury (Hg) in accordance with the national emission reduction commitments applicable from 2020, 2025 and 2030, as laid down in Annex II;
- as a minimum, limit their annual anthropogenic emissions of methane (CH<sub>4</sub>), except emissions of enteric methane produced by ruminant livestock in accordance with the national emission reduction commitments applicable from 2030, as laid down in Annex II;
- provide, in their reports submitted to the Commission, updates on their progress towards achieving their national emission reduction commitments.

The Commission should carry out an impact assessment on Mercury (Hg) before a national emission reduction commitment is determined and, if necessary, submit a new legislative proposal.

Flexibilities for international maritime transport: Members deleted the Commission proposal concerning the flexibilities allowing Member States to offset NO<sub>x</sub>, SO<sub>2</sub> and PM<sub>2.5</sub> emission reductions achieved by international maritime traffic against NO<sub>x</sub>, SO<sub>2</sub> and PM<sub>2.5</sub> emissions released by other sources in the same year, under certain conditions.

Instead, Parliament asked the Commission to consider, on the basis of the regular reports, measures for reducing emissions from international shipping particularly in Member States' territorial waters and exclusive economic zones, and, if appropriate, submit a legislative proposal.

National air pollution control programmes: in order to reduce emissions from the main contributors, national air pollution control programmes should include measures applicable to all relevant sectors, including agriculture, industry, road transport, non-road mobile machinery, inland and domestic shipping, domestic heating and solvents.

These programmes shall also:

- consider the cost-effectiveness of emission reduction measures;
- prioritise specific policy measures which aim at reducing risks to the health of vulnerable groups of people and to ensure compliance with the exposure;
- quantify the additional emission reductions needed in order to meet by 2030 ambient air quality levels equal to or below the levels as recommended by the World Health Organisation;
- support the shift of investments towards clean and efficient technologies and sustainable production with the help of fiscal incentives.

The Commission shall ensure that all EU source-based air pollution policies are fit for purpose and contribute towards reaching the Union air

quality objectives. To this end, the Commission and the Member States shall immediately agree on the [new Euro 6 Real Driving Emissions \(RDE\) regulation proposal](#) currently under consideration.

Member States shall establish a system of routine and non-routine environmental inspections and market surveillance.

Public consultation: Member States shall ensure that members of the public concerned are consulted at an early stage in the drawing up and review of draft national air pollution control programmes and in any updates of those programmes prior to their finalisation.

The public concerned must have access to administrative or judicial procedures to challenge acts and omissions by competent authorities or private persons which do not comply with the Directive.

Clean Air Fund: the Commission shall facilitate access to financial support to help ensure that appropriate measures can be taken to comply with the objectives of this Directive. This shall include available funding under, inter alia: (a) agricultural funding; (b) future work programmes of the Horizon 2020; (c) European Structural and Investment Funds; (d) funding instruments for the environment and climate action such as LIFE.

The Commission shall set up a European Clean Air Forum to facilitate the coordinated implementation of the Clean Air Programme.

Report: the Commission shall, every 30 months starting from the entry into force, present a report on the implementation of this Directive. In doing so, the Commission shall assess no later than 2025, the progress in the reduction of air pollutants emissions with a view to safeguarding progress towards achieving the World Health Organisation's recommended air quality levels. In particular, it shall, if appropriate, and taking into account scientific and technological progress, propose changes to the national emissions reduction commitments in Annex II.

## Reduction of national emissions of certain atmospheric pollutants

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The European Parliament adopted by 499 votes to 177, with 28 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC.

Parliaments position, adopted at first reading following the ordinary legislative procedure, amended the Commission proposal as follows:

Objectives: in order to move towards achieving levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment, this amended Directive:

- establishes the emission reduction commitments for the Member States' anthropogenic atmospheric emissions of sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), non-methane volatile organic compounds (NMVOC), ammonia (NH<sub>3</sub>) and fine particulate matter (PM<sub>2.5</sub>);
- requires that national air pollution control programmes be drawn up, adopted and implemented and that emissions of those pollutants and the other pollutants as well as their impacts, be monitored and reported.

Moreover, Parliament noted that the Directive should also contribute to achieving:

- the air quality objectives set out in Union legislation and progress towards the Union's long-term objective of achieving levels of air quality in line with the air quality guidelines published by the World Health Organisation;
- the Union's biodiversity and ecosystem objectives in line with the 7th Environment Action Programme;
- enhanced synergies between the Union's air quality policy and other relevant Union policies, in particular climate and energy policies.

National emission reduction commitments: Member States shall:

- limit their annual anthropogenic emissions in accordance with the national emission reduction commitments applicable from 2020 to 2029 and from 2030 onwards, as laid down in Annex II of the Directive;
- take the necessary measures aimed at limiting their 2025 anthropogenic emissions of sulphur dioxide, nitrogen oxides, non-methane volatile organic compounds, ammonia and fine particulate matter.

Member States may follow a non-linear reduction trajectory if this is economically or technically more efficient, and provided that as from 2025 it converges progressively on the linear reduction trajectory and that it does not affect any emission reduction commitment for 2030.

Flexibilities: in order to address some of the uncertainties inherent in setting national emission reduction commitments, the amended Directive incorporates the revised Gothenburg Protocol on the abate acidification, eutrophication and ground-level ozone. In particular, the revised Gothenburg Protocol establishes a mechanism to adjust national emission inventories and to average national annual emissions for a maximum of three years where certain conditions are met.

In addition, flexibilities are laid down in the amended Directive to assist Member States in case of sudden and exceptional events related to energy generation or supply provided that specific conditions are met. The use of those flexibilities should be monitored by the Commission.

National air pollution control programmes: in order to reduce emissions from anthropogenic sources, national air pollution control programmes should consider measures applicable to all relevant sectors, including agriculture, energy, industry, road transport, inland shipping, domestic heating and use of non-road mobile machinery and solvents. However, Member States should be entitled to decide on the measures to adopt in order to comply with the emission reduction commitments set out in this Directive. In drawing up national air pollution control programmes, Member States should take into account best practices in addressing, inter alia, the most harmful pollutants within the scope of this Directive with respect to sensitive human population groups.

Member States shall update their national air pollution control programmes at least every four years. The Commission may establish guidance on the elaboration and implementation of national air pollution control programmes.

Financial support: the Commission shall endeavour to facilitate access to existing Union funds, in accordance with the legal provisions governing those funds, in order to support the measures to be taken with a view to complying with the objectives of this Directive. Those Union funds include present and future available funding under, inter alia: (a) the Framework Programme for Research and Innovation; (b) the European Structural and Investment Funds, including relevant funding under the common agricultural policy; (c) instruments for the funding of environment and climate action such as the LIFE programme.

The Commission shall evaluate the possibility of creating a one-stop shop, where any interested party can easily check the availability of Union funds.

Clean Air Forum: the Commission shall set up a European Clean Air Forum, bringing together all stakeholders including competent authorities of the Member States at all relevant levels, to exchange experience and good practices, including on emission reductions from domestic heating and road transport, that can inform and enhance the national air pollution control programmes and their implementation.

Reports by the Commission: the Commission shall, by 39 months after the date of entry into force of this Directive and every four years thereafter, report to the European Parliament and the Council on the progress made in the implementation of this Directive. On the basis of these reports, the Commission shall review this Directive no later than 31 December 2025. If appropriate, the Commission shall present legislative proposals for emission reduction commitments for the period after 2030.

Lastly, the amended Directive recalled that it is important to identify and respond to non-effective Union source-based air pollution control legislation at an early stage is essential to achieving wider air quality objectives, as demonstrated by the discrepancy between real world emissions and test emissions of nitrogen oxides from EURO 6 diesel cars.

## Reduction of national emissions of certain atmospheric pollutants

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**PURPOSE:** to establish stricter national limits for the emission of some of the most dangerous air pollutants in order to protect health and the environment.

**LEGISLATIVE ACT:** Directive (EU) 2016/2284 of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC.

**CONTENT:** this Directive establishes stricter national limits for the emission of some of the most dangerous air pollutants. The new rules cover five pollutants: sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), non-methane volatile organic compounds (NMVOC), ammonia (NH<sub>3</sub>) and fine particulate matter (PM<sub>2,5</sub>).

National air pollution control programmes: the Directive requires national air pollution control programmes to be established and that emissions of those pollutants and the other pollutants, as well as their impacts, be monitored and reported. Member States shall update their national air pollution control programmes at least every four years and consider measures applicable to all relevant sectors, including agriculture, energy, industry, road transport, inland shipping, domestic heating and use of non-road mobile machinery and solvents.

National emission ceilings: the national emission reduction commitments for any year from 2020 to 2029 in this Directive are identical to those set in the revised Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone. Further restrictions have been decided upon for 2030 onwards.

National emission reduction commitments: Member States shall take the necessary measures aimed at limiting their 2025 anthropogenic emissions of sulphur dioxide, nitrogen oxides, non-methane volatile organic compounds, ammonia and fine particulate matter. The indicative levels of those emissions shall be determined by a linear reduction trajectory established between their emission levels defined by the emission reduction commitments for 2020 and the emission levels defined by the emission reduction commitments for 2030.

Where the emissions for 2025 cannot be limited in accordance with the determined reduction trajectory, Member States shall explain the reasons for that deviation as well as the measures that would bring the Member States back on their trajectory.

Flexibilities: the Directive incorporates flexibilities to assist Member States in case of sudden and exceptional events related to energy generation or supply provided that specific conditions are met.

If in a given year a Member State, due to an exceptionally cold winter or an exceptionally dry summer, cannot comply with its emission reduction commitments, it may comply with those commitments by averaging its national annual emissions for the year in question, the year preceding that year and the year following it.

European Clean Air Forum: the Commission shall set up a European Clean Air Forum to exchange experience and good practices, including on emission reductions from domestic heating and road transport, that can inform and enhance the national air pollution control programmes and their implementation.

Review: the Commission shall review this Directive no later than 31 December 2025. If appropriate, it shall present legislative proposals for emission reduction commitments for the period after 2030.

**ENTRY INTO FORCE:** 13.12.2016.

**APPLICATION:** 1.7.2018.

**DELEGATED ACTS:** the Commission shall be empowered to adopt delegated acts to amend the Annexes to take account of international and technical developments. The power to adopt delegated acts shall be conferred on the Commission for a period of five years from 13 December 2016. The European Parliament or the Council shall have the right to object to a delegated act within a period of two months (extendable for two months) from the date of notification.