

# Reduction of national emissions of certain atmospheric pollutants

2013/0443(COD) - 18/12/2013 - Legislative proposal

**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.