

Proposal for a Council Directive amending Directive 88/609/EEC on the limitation of emissions of certain pollutants into the air from large combustion plants

(93/C 17/14)

COM(92) 563 final

(Submitted by the Commission on 21 December 1992)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas the 1973 ⁽¹⁾, 1977 ⁽²⁾, 1983 ⁽³⁾ and 1987 ⁽⁴⁾ European Community action programmes on the environment stress the importance of the reduction and prevention of atmospheric pollution;

Whereas in their pollution concerning the action programme on the environment 1987 to 1992 the Council and the Representatives of the Governments of the Member States meeting within the Council emphasized that Community action should concentrate, *inter alia*, on the application of appropriate standards in order to ensure a high level of public health and environmental protection;

Whereas Directive 88/609/EEC on the limitation of emissions of certain pollutants into the air from large combustion plants did not set limit values for SO₂ for new plants of between 50 and 100 MWth which use solid fuel;

Whereas Annex III to Directive 88/609/EEC states that the Council, on the basis of a report from the Commission, shall set emission limit values for new plants of between 50 and 100 MWth which use solid fuel;

Whereas according to the Commission's report to the Council on the availability of low-sulphur fuel, the difficult situation which had delayed the setting of these limit values has now improved, thanks notably to the availability on the world market of sufficient quantities of coal with a low sulphur content;

Whereas emissions from the combustion of this type of coal can be limited to 2 000 mg/m³;

Whereas, in view of the damage caused to the environment by atmospheric pollution, the emission limit values for plants of between 50 and 100 MWth should be set at this level,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 88/609/EEC is hereby amended:

the following paragraph is added to Article 4 (1):

'1a. Annex III, containing the emission limit values for sulphur dioxide for new combustion plants which use solid fuel, shall be supplemented to include a limit value of 2 000 mg SO₂/m³ for plants with a rated thermal input of between 50 and 100 MWth.'

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions required to comply with this Directive by 30 June 1993 at the latest. They shall immediately inform the Commission thereof.
2. When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.
3. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive is addressed to the Member States.

⁽¹⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽²⁾ OJ No C 139, 13. 6. 1977, p. 1.

⁽³⁾ OJ No C 46, 17. 2. 1983, p. 1.

⁽⁴⁾ OJ No C 328, 7. 2. 1987, p. 1.