

Opinion of the Committee of the Regions on 'Review of EU air quality and emissions policy'

(2012/C 225/03)

THE COMMITTEE OF THE REGIONS

- observes that the slowdown in improvements to air quality is, to a significant extent, due to a lack of ambition in EU source-based policy and an absence of national measures. Much of the burden and responsibility of solving the problems has been placed on local and regional authorities; A multilevel approach is required, in which each level of government (European, national, regional and local) must take responsibility and adopt the measures which can and must be adopted by the relevant level;
- insists that the EU's immissions and emissions policies must be linked to each other. It is therefore essential that equal levels of ambition and synchronised timeframes be developed for EU source-based and immissions policy during the policy-development phase;
- recommends a strengthening of EU emissions policy, in particular by making the review of the NEC directive ambitious enough to reduce background concentrations; by tightening up the Euro standards for vehicles with regard to NO₂/NO_x and particulate matter and emissions requirements for other mobile sources; by closing the gaps between EU vehicle emission standards and actual vehicle 'real world' emissions; by tackling emissions from shipping and air traffic, and ammonia emissions from agriculture;
- recommends that the review of the air quality directives (2008/50/EC and 2004/107/EC) in particular reduces the number of substances and the number of target and limit values by focusing on the most polluting substances and on those indicators that best reflect the health aspects; investigates whether particle concentration and EC/BC are more suitable indicators and which form they could be included in the directive; examines the use of the annual average limit value for PM₁₀ on the basis of multi-year average concentrations; extends the possibility of additional derogations for reducing NO₂ levels under specific circumstances; and imposes more specific rules on the location of measuring stations in order to ensure comparability.

Rapporteur	Cor LAMERS (NL/EPP), Mayor of the municipality of Houten (Burgemeester van Houten)
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I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

A. General comments

1. is aware of the Commission's intention to present a comprehensive review of the European air quality policy in 2013, with new long-term objectives for the period after 2020. This review will be very wide ranging, involving:

- revising the thematic strategy on air pollution (COM(2005) 446 final);
- tightening up EU policy on reducing pollution at source;
- combining the following directives into a single directive:
 - the revised version of the directives on ambient air quality and cleaner air for Europe (2008/50/EC and 2004/107/EC);
 - the revised version of the directive on national emission ceilings (Directive 2001/81/EC);

2. appreciates the European Commission's request for an outlook opinion from the Committee on the future of EU air quality policy;

3. notes that the opinion⁽¹⁾, as an outlook opinion issued during the expert-group stage of the EU decision-making process, sets out both administrative/policy and technical aspects (recommended legislation and suggested processes);

4. notes that air quality affects people's daily lives and health in both urban and rural areas. Public health and the environment should be at the heart of attempts to improve air quality, but at the same time a balance must be sought between economic development and reducing air pollution. Improving the environment and public health can also stimulate the economy and reduce the economic costs of factors which threaten and damage health;

5. welcomes the significant improvements in air quality in Europe that have resulted from a combination of EU air quality policy and policy and action in the Member States (at national,

regional and local level). The situation has been improving for the last two decades, but the Committee is concerned that this positive trend has stalled recently;

6. points out that air pollution causes the greatest problems and hotspots in conurbations. Despite all the measures taken at local and regional level, many European cities will not be able to meet the standards for particulate matter (PM₁₀ and PM_{2,5}) and NO₂ in time, as a result of which a large proportion of Europeans are living in areas with concentrations of air pollution that are harmful to their health;

7. notes, moreover, that rural and peri-urban areas are also affected by air pollution, with a not insignificant impact on the environment, crops and natural habitats;

8. notes that air pollution must be reduced, but that at the same time our cities must continue to function properly from a social and economic point of view. In most Member States motorised passenger and goods road transport (which is powered primarily by diesel and petrol) is one of the most significant direct source of NO₂ air pollution hotspots and there must be a more effective approach than at present, in terms of both emissions standards and containing traffic;

9. feels that the key question in reviewing EU air quality policy must be how EU legislation can effect improvements in air quality (i.e. using what type of legislation and which measures). At least the following aspects are important: multilevel governance, an integrated approach, and the practical implementation of EU legislation in Europe's cities. Priority must be given to the workability of the EU directive and problems of implementation in cities and regions;

10. notes that governance must be an important element in the development of new EU air quality legislation. Air pollution has transboundary and national dimensions, and therefore necessitates action at all levels of government (European, national, regional and local). The Committee recommends taking a multilevel approach, with each level of government taking its share of the responsibility and taking those actions that must or can best be taken at that level;

11. highlights the importance of an integrated approach to developing new EU legislation. Pollution must be prevented as far as possible. It is vital to identify the causes of pollution and to tackle emissions at source in the most economically effective and environmentally friendly way possible;

⁽¹⁾ The CoR carried out a consultation of its Subsidiarity Monitoring Network in relation to this opinion. The report on the consultation was published in December 2011.

12. notes that improving public health will require an ambitious EU air quality policy, but that it is impossible to pursue an immissions policy with EU limit values for pollutants without an effective emissions policy with EU measures to tackle pollution at source. The ambitiousness of the revised directive must therefore be closely aligned with that of the national emission ceilings and EU emissions policy (source-based policy). In this connection, the Committee feels that combining the air quality directives (2008/50/EC and 2004/107/EC) with the revised version of the directive on national emission ceilings (2001/81/EC) would help to align the different levels of ambition;

B. The Thematic Strategy on Air Pollution and its implementation in the Member States

The Thematic Strategy

13. feels that the thematic strategy on air pollution has contributed to reducing people's exposure to air pollution and to improving the environment;

14. finds it regrettable that not all of the source-based measures mentioned in the thematic strategy have been implemented in practice, most notably:

- development of an integrated approach to the nitrogen cycle;
- the revision of the directive on national emission ceilings (2001/81/EC, NEC Directive), which is important in dealing with background concentrations but has unfortunately been repeatedly deferred;

Implementation at local and regional level

15. observes that local and regional authorities are working hard to improve air quality, for example by:

- promoting more sustainable forms of transport, such as more efficient and attractive public transport, cycle paths, access restrictions for (the most polluting) cars and/or lorries (environmental zones) and promoting clean(er) cars, e.g. by giving them preferential access and/or via parking policy;
- making improvements in the field of transport management, improving traffic flows by imposing speed restrictions and developing innovative logistics concepts for city-centre goods deliveries;
- preventing resuspended road dust by improving road surfaces and banning the use of studded tyres on city-centre streets;
- improving infrastructure and buildings for example by laying down local ordinances on heating (if national legislation permits), reducing emissions from the production of

space heating, promoting district heating, modernising heating installations, creating more space between roads and housing and increasing the amount of green space. With regard to this last point, it should be noted that green spaces alongside roads and verges (insulating vegetation) have little effect: only large green spaces such as parks and woods have demonstrable added value;

16. points out that European policy at all levels should be further tightened, especially regarding quantitative reduction and the spatial and sectoral shift away from private and commercial transport by road. But it should be pointed out that compliance with the standards for PM₁₀, PM_{2,5} and NO₂ cannot be assured by such measures alone. The main reasons for this can be divided into three types of obstacle: limited influence, limited options, and limited policy freedom (see points 17, 19 and 22);

17. is of the opinion that individual local and regional governments have only a spatially limited influence on improving local air quality (first type of obstacle). Local and regional policy focuses on reducing emissions from local sources, while a large part of local concentrations of fine PM₁₀ and PM_{2,5} particulates and ozone especially is in fact caused by cross-border and/or trans-regional emissions;

18. points out that the high background concentrations of air pollutants and the often inadequate transposition and revision of the directive on national emission ceilings (2001/81/EC) restrict the prospects of success of the measures taken by local and regional authorities in order to meet EU air quality standards. The accumulation of (local, regional, national and international) emissions results in 'background concentrations', which can be so high that even a very small amount of pollution at local level results in limit values being reached or exceeded. In these cases the local and regional authorities affected of course have very little scope for influence;

19. concludes that local and regional authorities have limited options in what action they can take (second type of obstacle). Urban policy focuses on mobility and spatial planning, and on specific actions to deal with 'hotspots'. Local and regional authorities can take almost no effective measures based on the nature of the sources;

20. points out that, in drafting their air quality policies, local and regional authorities have anticipated the benefits that would come from the introduction of EU-wide source-based measures. In retrospect, it is apparent that an insufficiently ambitious policy to tackle pollution at source, as well as not always having had the desired effect on European roads (see section D), is a major factor in failures to comply with limit values at local and regional level;

21. points out that efforts to further reduce local concentrations using only local measures can have a significant impact on everyday life and entail considerable costs. This will require financial resources that many local and regional authorities simply do not have, and powers that they do not officially have in all Member States. Moreover, international and European source-based policy is much more cost-effective;

22. points out that local and regional authorities have limited powers (third type of obstacle). Unfortunately, no – or insufficient – complementary measures have been taken at national level in many Member States which weakens regional and local authorities even further. For example, not all Member States have developed a national air quality plan, and most have opted not to take an integrated approach to air quality that is binding on all levels of government. There are also cases where the national government has discouraged, or even prevented, local and regional authorities from taking additional or stricter measures: for example, in a number of Member States low-emission zones cannot be introduced by local authorities, but only by the national government. The EU's internal market rules also restrict local and regional policy options. The free movement of goods and persons is after all hampered by the introduction of large environmental zones (e.g. regional zones) and road or bridge closures. Equally, national bans on polluting vehicles are not feasible for the above reasons;

23. notes that various Member States are drafting national legislation to allow fines arising from EU letters of formal notice to be charged to local and regional authorities. Local and regional authorities are required to meet the limit values using the limited options and resources at their disposal, while European and national levels of government have much more extensive and effective options and resources. Therefore, where the limit values are not complied with, responsibility for paying fines should continue to lie with the Member States. The Committee considers the 'transfer' of fines to local and regional authorities to be unjustified, and opposes any such moves;

A multilevel governance approach

24. observes that the slowdown in improvements to air quality is, to a significant extent, due to a lack of ambition in EU source-based policy and an absence of national measures. Much of the burden and responsibility of solving the problems has been placed on local and regional authorities;

25. also notes there is insufficient coordination between Member States in the fight against air pollution. Thus, information and warning thresholds are not the same in neighbouring countries, real-time information exchange between Member States during episodes of pollution is not organised and action plans are not coordinated in the major pollution areas common to several Member States;

26. stresses that air quality problems cannot be resolved – or EU policy implemented – by any one level of government. A multilevel approach is required, in which each level of government (European, national, regional and local) must take responsibility and adopt the measures which can and must be adopted by the relevant level;

27. points out that local and regional authorities are partly dependent on source-based measures at national and international level to reduce emissions and thereby help to substantially reduce background concentrations. Local and regional authorities can, in turn, develop their own policy on the basis of this, for example by tightening up the rules for access to environmental zones;

28. believes that implementation of air quality legislation is not simply a question of legal implementation (transposition into national law). If permitted under the internal organisation of the given Member State, the Committee recommends that national and/or federal air quality plans and/or reduction programmes be developed, taking an integrated and coordinated approach and taking account of the transnational aspects of the problem. The Committee advocates a multilevel approach and points to the establishment of cross-government teams in the Member States in which experts from the various levels of government work together to draw up national plans and programmes⁽²⁾. This boosts synergy and consistency between national, regional and local measures;

29. appreciates the European Commission's efforts to draw attention to examples of best practice by local and regional authorities, and calls for this policy to be continued;

30. notes that it is important to aim for consistency and synergy with developments at international level, and points out that the emission ceilings in the revised Gothenburg Protocol must be a vital adjunct to the review of the EU directive on national emission ceilings (2001/81/EC);

C. Consistency and synergy between EU emissions and immissions policy

An integrated approach⁽³⁾

31. believes that it is important to achieve consistency and synergy between action to tackle the various different pollutants. To this end, it is essential to take an approach that integrates EU air quality policy with other policy areas, in particular climate, industry, transport, housing and energy. Improving the sustainability of transport policy and introducing sustainable forms of energy production and consumption could significantly reduce air pollution;

⁽²⁾ The Committee recommended establishing teams of this kind in CdR 164/2010 fin.

⁽³⁾ The Committee has repeatedly made such recommendations: CdR 164/2010 fin and CdR 140/2011 fin.

32. finds it regrettable that there is often a lack of synergy between measures. Measures with a positive effect in one area can have a negative effect in another. For example, increased use of biomass – such as biodiesel in small-scale installations – may increase emissions of black carbon, which presents risks for air quality and public health. An increase in diesel-fuelled vehicles may reduce CO₂ emissions, but have a negative effect on emissions of particulate matter. Technologies to reduce particulate-matter emissions can, in turn, have a negative effect on NO₂ emissions from diesel-fuelled vehicles, slowing the reduction of NO₂ concentrations. Greater policy integration should prevent such negative consequences as far as possible, and it would be advisable to aim for a ‘win-win’ situation for all the policy areas concerned, or at least establish criteria for when it is preferable to prioritise one or other objective;

33. feels it would be useful to link the policy for improving air quality with the policy for promoting use of alternative energy sources. Use of alternative energy sources (e.g. installations for use of geothermal energy, solar collectors, etc.) would make a major contribution to improving air quality;

34. points to the lack of integration between policies to tackle climate change and those regarding air quality. Air quality policy generally has a positive impact in terms of combating climate change, but climate policy has only a limited impact on air pollution, as it follows a different dynamic and a different timescale. Climate policy focuses more on the long term, in contrast to air quality policy, which focuses on the short to medium term;

35. believes that there is considerable potential for synergies between air quality and environmental noise policy, especially if traffic levels can be reduced, and that a ‘win-win’ situation should also be sought for these two policy areas⁽⁴⁾;

36. calls for more recording of emissions and immissions through an ‘integrated monitoring’ scheme that includes the coordinated collection and evaluation of emissions, an extension of the range of materials, provided that it can be adequately demonstrated that they really affect human health or the environment or else, in the case of evaluation, that it is limited to monitoring through modelling, propagation modelling and the measurement of exposure and effect over space and time, on the express condition that this does not lead to an excessive increase in the administrative burden;

The link between EU emissions and immissions policies

37. highlights the importance of consistency and synergy between immissions policy (EU limit values) and emissions policy (EU measures to tackle pollution at source): immissions are the result of emission levels, the location of emissions and the transmission and/or dispersal conditions. Moreover,

reductions in immissions (concentration levels) can most effectively be achieved by pursuing an ambitious emissions policy;

38. concludes that the EU’s ambitious immissions policy has not automatically led to an ambitious EU emissions policy, and that this has resulted in an imbalance between the two policies; consequently the implementation problems encountered in many European cities (see section B) and the slowdown in improvements to air quality can largely be blamed on the mismatches between EU immissions and emissions policies which therefore need to be addressed in any future development of policies and measures in this area with a view to bring them into a balance:

a) the level of ambition shown in the Air Quality Directive so far does not correspond to that of the EU’s source-based measures, or to their practical outcome (see section D) and therefore these two objectives must be aligned;

b) The timeframes for EU immissions and emissions policies are not synchronised – the Member States need to meet the air quality standards before the aims of, for example, the Euro standards are achieved in practice on Europe’s roads. The impact of the Euro standards (emission values) does not become visible and measurable until a few years after they are implemented, as they are, by definition, only applicable to a small proportion of the vehicle fleet, namely new vehicles; new emissions standards will not have an effect until older vehicles are replaced, and this renewal of the car fleet (and thus the impact of new standards) takes a number of years (real-world improvements);

c) The Committee asks the European Commission to indicate in the revised thematic strategy the renewal cycle timeframe required under the source-based measures that have been announced, i.e. to indicate at what point after the introduction of the source-based measures it will be possible to meet the limit values under real-world conditions. It is also important to estimate the time needed for the fleet to be renewed with cleaner vehicles. Adjustments to immissions policy should be adapted to this renewal cycle;

39. points out that new ambitions in terms of air quality (stricter limit values) must be realistic and feasible, and must therefore go hand in hand with (source-based) measures to actually reduce emissions throughout Europe. The EU’s immissions and emissions policies must be linked to each other. It is therefore essential that equal levels of ambition and synchronised timeframes be developed for EU source-based and immissions policy (see previous point) during the policy-development phase. The Committee also draws attention to the implementation phase, where a situation could arise whereby: certain source-based measures mentioned in the revised thematic strategy are not taken, or if they do not, in practice, result in the desired reduction in emissions (as specified in emissions policy). The committee proposes that in such a situation the European Commission adopt compensatory measures. This can prevent the current mismatch between

⁽⁴⁾ This recommendation is also made in the CoR opinion on *The Environmental Noise Directive – the way forward* (CdR 190/2011 rev. 2).

emissions and immissions policy re-emerging, confronting regional and local authorities once again with an impossible task;

40. in light of this desire for consistency between immissions and emissions policy, proposes the following timeframe for the development of future EU air quality policy:

- a) presentation of the revised thematic strategy on air pollution at the start of 2013 – the strategy can then go through the EU decision-making process in 2013;
- b) presentation of the revised Air Quality Directive and EU source-based measures at the end of 2013;
- c) interim evaluation and opportunities for amendment in 2017, in relation to new indicators (see section E);

D. Emissions policy

EU source-based policy

41. points out that air pollution is primarily caused by road and air transport, shipping, heating, households, industry and factory farming. An ambitious source-based policy is therefore needed⁽⁵⁾. Consideration must be given here to the fact that motorised road transport is one of the biggest direct causes of air pollution hotspots in urban areas;

42. welcomes, from an air-quality perspective, the ambitious nature of the White Paper *Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system* (COM(2011) 144 final). In order to reach the necessary level of ambition for air quality, however, the Committee calls for a European action plan to be drawn up, including intermediate targets, specific measures (e.g. EU source-based measures) and scheduled evaluations⁽⁶⁾;

43. calls on the EU, in addition to reducing emissions from each mobile or stationary source, to pay attention more systematically than before to reducing the total amount from the individual sources. Such quantitative policy measures have so far been left largely to the municipalities and regions. The contribution of the EU could initially cover the following actions:

- giving preference to collective transport rather than individual transport when planning and promoting the development of trans-European networks;

- extending the scope of EU product quality, which until now has focused on the health and environmental impact ('ecodesign') of products, to become a component in reducing material and energy use;

44. takes the view that EU emissions policy must be based on standards (and target-based policy, with required targets) so as not to hold back further technological innovations;

45. recommends the introduction of a prevention requirement similar to the waste framework law, which makes it possible to manage existing resources accordingly;

46. points out that the widespread contraventions of limit values for NO₂ can mainly be attributed to the inadequate or delayed introduction of emission limits (for motor vehicles) by the EU and therefore urgently recommends tightening up the Euro standards for vehicles with regard to NO₂/NO_x and particulate matter. It is important to stick closely to the timetable for the introduction of Euro VI/6 standards;

47. recommends that emissions requirements for other mobile sources such as, *inter alia*, off-road equipment, retrofitting filters in vehicles, or up-dating European requirements for motorcycles, should also be made stricter;

48. highlights the gap between EU legislation and actual vehicle emissions on the road. The Euro V/5 standards were (and are) ambitious, but in spite of that this ambition has not resulted in a sharp drop in air pollution. The most important reason for this is that a gap exists between the legal reality of the EU legislation and the actual emissions of road vehicles. It became clear, when Euro-III goods vehicles were introduced, that emissions under real-world driving conditions were higher than expected and did not deliver the expected reduction in emissions. The same problem was observed with the introduction of Euro-IV and Euro-V for diesel-engined goods vehicles and passenger cars respectively and – though to a lesser extent – with regard to NO_x emissions from passenger cars. In order to realise the ambition of the EU legislation, the Euro VI/6 standard for vehicle emissions in the test cycle must correspond better to the actual emissions of an average journey in the city;

49. would also point out that, in practice, newly delivered goods vehicles are often subject to technical modification whereby, under real-world conditions, their emissions of nitrogen oxides and particulate matter are higher than might be expected from the type approval test. This practice must be as far as possible be avoided – and made subject to a fine – when Euro VI goods vehicles are introduced. To prevent this problem arising, the Committee would ask the European Commission and the Member States to tighten up legislation, goods vehicle approvals and associated inspections. Consideration must also be given whether technical options are available to prevent such technical modifications from being made in the future;

50. calls for special consideration to be given to heavy-duty vehicles (buses and lorries) which are generally the most polluting. Medium-duty vehicles (including vans) also generate considerably more NO_x than the average car, and EU emissions policy should therefore pay special attention to tightening up

⁽⁵⁾ The Committee has long been calling for such a policy: CdR 190/2011 rev. 2, CdR 140/2011 fin, CdR 101/2011 fin, CdR 164/2010 fin, CdR 159/2008 fin.

⁽⁶⁾ This recommendation was also made in Opinion CdR 101/2011 fin.

the standards on emissions from such vehicles as well as emissions from diesel-engined cars, combining them with appropriate commercial logistics management measures and incentives, together with improvements to local public transport;

51. notes that brake and tyre wear, together with wear on the road surface and the resuspension of road surface particles, contributes to the high concentrations of particulate matter, and recommends that research into ways of reducing such emissions be undertaken within the European research framework programme. The Committee also suggests that a guide to best practices be drawn up providing recommendations for the use of dust-retention solutions in order to prevent air pollutants from being dispersed again;

52. notes that industry still makes a major contribution to total emissions in Europe, and that efforts to reduce these emissions are regulated in the Industrial Emissions Directive (2010/75/EU, IED). Ambitious Best Available Technique (BAT) reference documents (BREFs) and the conclusions drawn from these are decisive instruments for reducing background concentrations. In order to ensure that the BATs can still be used in the future, the BREFs and their conclusions need to be revised on a regular basis and be ambitious enough to reduce background concentrations throughout Europe, and the use of exemptions should be minimised (7);

53. notes that agricultural holdings contribute to air pollution, with ammonia emissions playing a significant role in acidification and eutrophication. Levels of NH₃ will need to be reduced further if nature-related objectives such as the protection of Natura 2000 areas are to be achieved. Efforts to reduce these emissions are regulated in the Industrial Emissions Directive (2010/75/EU, IED). It is also important for large-scale, industrial agricultural holdings to be able to use the best available techniques in future, and the BAT reference documents (BREFs) therefore need to be revised regularly;

54. notes that emissions from shipping may have a significant impact on concentrations of air pollutants in port towns and cities and port areas and along heavily used inland waterways, and also in coastal towns, cities and regions. The Committee urges national authorities to apply the guidelines of the International Maritime Organization (IMO) in all European coastal waters. Emission-reducing measures for particulates and NO_x emissions should be required for inland waterway vessels;

55. notes that emissions from air traffic contribute to background concentrations of polluting substances. The Committee calls on the EU and national authorities to take the necessary measures and to make the requirements for aircraft emissions stricter;

(7) This recommendation was also made in the CoR opinion on industrial emissions (CdR 159/2008 fin).

Review of the directive on national emission ceilings (Directive 2001/81/EC)

56. points out that the directive on national emission ceilings (NECs) is by far the best instrument for reducing background concentrations. Transboundary air pollution forms a very large proportion of background concentrations in many Member States, amounting to more than 50 % (averaged across the country) for some pollutants. The Committee feels that it is very important for the review of the NEC directive to be ambitious enough to reduce background concentrations throughout Europe, as it will make local and regional air quality policy realistic and feasible;

57. notes that the directive on national emission ceilings is a key tool in forcing Member States to take measures at source. For this to be the case, however, the revised NEC directive and EU source-based policy need to be just as ambitious as the directives on air quality (2008/50/EG and 2004/107/EG). The ambitious targets of the air quality directives can only be achieved if these particular elements show ambition. In this connection, the Committee believes that combining the NEC directive with the air quality directives would encourage the harmonisation of the various levels of ambition;

58. is concerned by the Member States' lack of ambition with regard to the pending revision of the Gothenburg Protocol (which lays down the international agreements for emission ceilings). This revision affects the revision of the NEC directive, and thus also influences the level of ambition shown in new EU air quality legislation. The Committee urges the Member States to be more ambitious in the pending revision of the Gothenburg Protocol;

59. asks at the very least for a list of elemental or black carbon emissions to be drawn up and for a monitoring process to be set up with a view to identifying new atmospheric pollutants that could in future be included in this protocol;

E. Immissions policy: revision of the air quality directives (2008/50/EC and 2004/107/EC)

General comments on revision of the directives

60. notes that the air quality directives (2008/50/EG and 2004/107/EG) are very important instruments in reducing the exposure of people and the environment to air pollution. The establishment of minimum protection levels has led to action in all EU countries to reduce emissions and to reduce concentrations at hotspots. A reduction in emissions in one country at the same time results in a reduction in transboundary air pollution, which means that neighbouring countries are helping each other to meet the limit values;

61. believes that public health and environmental protection must be the starting point for revising the air quality directives. Improving public health will require a higher level of ambition. However, the Committee insists in this regard that the ambitiousness of the revised directive must be carefully aligned with that of the national emission ceilings and EU emissions policy (source-based policy) as previously mentioned (point 57);

62. observes that the air quality directives currently contain 27 limit and target values; it also notes that some of the limit values overlap (for example the daily and annual limits for PM₁₀ and the annual limits for PM₁₀ and PM_{2,5}), and that a number of the limit values have not been exceeded for many years in large parts of the EU. The Committee therefore suggests looking into whether the concept of target values does in fact have any added value for substances for which the directives already provide limit values;

63. notes that the requirements in the directive to report on the concentrations detected and on the establishment and status of air quality plans take a great deal of time and impose additional administrative burdens on local and regional authorities;

64. feels that, from the perspective of public health and scientific research as well as of better regulation, reducing red tape and facilitating communication with the public, the number of substances and the number of target and limit values could be possibly reduced. This could be achieved by focusing on the most polluting substances and on those indicators that best reflect the health aspects;

Elemental carbon/black carbon

65. recommends that the indicators used for traffic-related pollution should be those that best reflect the health aspects. The current directive provides standards for PM₁₀, PM_{2,5} and NO₂, but some studies indicate that elemental carbon (EC/black carbon) and particle concentration (combustion related aerosol) seem to be better indicators for the components of air pollution linked to motor-vehicle traffic that impact public health. EC/BC is the soot fraction released from the combustion of all carbon-based fuels (including diesel and petrol), for example in vehicle and boat engines. The Committee therefore recommends investigating whether a standard for particle concentration and EC/BC could be introduced;

66. points out that a greater focus on EC/BC would be in line with the recommendations of the UN Environment Programme (UNEP) and the Convention on Long-Range Transboundary Air Pollution (CLRTAP);

67. proposes that the directive include the possibility of mid-term amendment (using the recast procedure). If research (see point 65) and positive practical experience show that the EC/BC standard is more suitable for use as an indicator its inclusion, and the form in which it would be included, in the directive could be considered;

Particulate air pollution

68. points out that the current directive has three limit values and one reduction target for particulate matter (PM₁₀ and PM_{2,5}), as well as various values, annual averages and 24 hour values. This makes it complicated to implement in practice, and imposes unnecessary administrative burdens. The Committee is aware of the discussions concerning simplifying this situation by deleting one of the standards for particulate matter (either PM₁₀ or PM_{2,5}) provided this is duly justified by studies of the effects on health and the environment; it does not wish to take a position on that;

69. points out that the limit values for PM₁₀ are very difficult to comply with in some places. This may be due to local circumstances, local sources, certain specific meteorological conditions and/or periods of large-scale air pollution. Long-distance goods transport can also contribute significantly to the overall load. With a view to the desired flexibility, the Committee suggests examining whether the annual average limit value could be used for checks on the basis of multi-year average concentrations;

70. observes that the introduction of PM_{2,5} was received favourably, as this component probably has a closer correlation than PM₁₀ with health effects. There are, however, a number of different values for PM_{2,5}, including for general exposure and a reduction percentage, which makes it difficult for authorities to comply with all aspects of these values. It is as yet unclear whether local and regional authorities will be able to meet the PM_{2,5} limit value and the reduction percentage, as there is not enough information available and the impact of measures cannot yet be quantified. The Committee recommends that this lack of data be taken into account when evaluating the PM_{2,5} standards, and that consideration be given to allowing more time to meet the standards in certain cases;

NO_x/NO₂

71. proposes that, pending research into another method of formulating this standard, the European Commission should reconsider whether the average hourly concentration for NO₂ is really necessary, as the annual limit value appears to be stricter and it is impossible to take measures at local level to reduce average hourly concentrations of NO₂;

72. proposes that the directive should define citizens' right to see an action plan drawn up when pollutant limit values are exceeded;

73. believes that, in view of the specific issues with reducing NO₂ levels in the air, the possibility of extensions (additional derogation) must be extended, provided the Member State in question can show that all reasonable measures have been taken, also in order to limit the distances travelled by motor vehicles, but, despite this, the EU limit value has not been achieved because the engines of vehicles on the road do

not meet the emission levels established in the Euro standards (in other words because of inadequate EU source-based policy);

Ozone

74. notes that ozone (O₃) is formed in the air by the reaction of precursor substances – nitrogen oxides, carbon monoxide, methane and other volatile organic compounds – in the presence of sunlight. A number of cities, particularly in southern Europe, still have high concentrations of ozone. Local authorities have very little ability to affect ozone concentrations in their own cities, but can help to reduce levels elsewhere by cutting emissions from transport. The Committee suggests that reducing high ozone concentrations in urban areas is primarily a challenge for national and European air quality policy, and that emissions policy on volatile organic compounds is the most effective measure;

75. draws attention to an analysis by the Dutch National Institute of Public Health and the Environment (RIVM) ⁽⁸⁾ showing that Member States have little influence on annual average ozone concentrations and almost no influence on peak O₃ concentrations within their territory. At the same time broader background concentrations of ozone appear to be rising. In the Committee's view, this needs to be taken into account when evaluating the target values for ozone (long-term objectives) and in the associated impact on developments in policy and reporting. Meeting the long-term target values for ozone levels is particularly difficult for the southern countries which are exposed to more hours of sunshine – greater solar radiation – and higher average temperatures, factors that encourage the formation of tropospheric ozone. The CoR recommends that research be undertaken to establish whether this phenomenon can be classified as 'natural' air pollution, so that it can be treated in the same way as sea salt or Sahara sand;

76. recommends that efforts to reduce ozone concentrations should focus in particular on reducing emissions of ozone

precursor gases, by revising the Directive on national emission ceilings (2001/81/EC) and by tightening up sectoral legislation for key sources;

Flexibility

77. highlights the fact that weather conditions may have a significant adverse effect on levels of air pollution. For example, the extremely dry start to 2011 in large parts of western Europe resulted in high PM₁₀ concentrations. It was not possible to counteract this effect with local or regional measures, and European legislation needs to take account of this by making provision for years with extreme meteorological conditions, for example by introducing a multiannual average;

78. points in this connection to the relationship between economic trends and air pollution which should be taken into account in the development of future policies. The current economic crisis is resulting in less economic activity (mobility, industry and shipping), and thus in lower emissions. At the same time, there are also considerably fewer financial resources available for innovation both at the private level (such as renewal of heating systems or vehicles), and at industrial level. Once the economy picks up these trends may well be reversed again.

Monitoring (measurements) and modelling (calculations)

79. notes that there are variations between Member States in how measuring stations are sited. As the geographical conditions at the various locations vary, which can influence the air quality values, the Committee recommends that monitoring (measuring) should remain obligatory, but should be improved by imposing more specific rules regarding the location of measuring stations in order to ensure the comparability of measured values;

80. suggests in this connection the establishment of a real-time air pollution exchange and information platform and harmonisation of the information and warning thresholds to make it possible to coordinate the measures adopted by the Member States in acute situations of high air pollution more effectively.

Brussels, 3 May 2012

The President
of the Committee of the Regions
Mercedes BRESSO

⁽⁸⁾ RIVM, *Dossier Ozon 2011: een overzicht van de huidige stand van kennis over ozon op leefniveau in Nederland* [Ozone dossier 2011: overview of current knowledge on ground-level ozone in the Netherlands], June 2011.