

DECISION OF THE EEA JOINT COMMITTEE

No 149/2009

of 4 December 2009

amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 101/2009 of 25 September 2009 ⁽¹⁾.
- (2) Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 21aqc (Commission Regulation (EC) No 1516/2007) of Annex XX to the Agreement:

'21ar. **32001 L 0081**: Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22), as amended by:

- **1 03 T**: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33),
- **32006 L 0105**: Council Directive 2006/105/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 368).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) the following subparagraph shall be added in Article 2:

“(f) for Norway, emissions in the territory of Svalbard.”;

- (b) with regard to the obligations laid down in Article 4, the following national emission ceilings to be attained by the year 2010 by the EFTA States shall be added to Annex I:

“Country	SO ₂ Kilotonnes	NO _x Kilotonnes	VOC Kilotonnes	NH ₃ Kilotonnes
Iceland	90	27	31	8
Liechtenstein	0,11	0,37	0,86	0,15
Norway	22	156	195	23”

⁽¹⁾ OJ L 304, 19.11.2009, p. 18.

⁽²⁾ OJ L 309, 27.11.2001, p. 22.

(c) the text of Article 6(1) shall be replaced by the following:

“The EFTA States shall, by 1 March 2010 at the latest, draw up programmes for the reduction of national emissions of the pollutants referred to in Article 4 with the aim of complying at least with the national emission ceilings laid down in Annex I by 2010 at the latest.”;

(d) the text of Article 6(3) shall not apply;

(e) the following sentence shall be added in the first subparagraph of Article 8(2):

“With regard to the EFTA States, the date by which they shall at the latest inform the EFTA Surveillance Authority, in accordance with paragraph 4(a) of Protocol 1 to the EEA Agreement, of the programmes drawn up in accordance with Article 6(1) and (2) shall be 31 March 2010.”;

(f) the following subparagraph shall be inserted in Article 8(3):

“When the Commission and the EFTA Surveillance Authority, in accordance with paragraph 4(a) of Protocol 1 to the EEA Agreement, exchange information on the national programmes received from the EU Member States or the EFTA States respectively, the Commission shall communicate the information received from the EFTA Surveillance Authority to the EU Member States and the EFTA Surveillance Authority shall communicate the information received from the Commission to the EFTA States, within one month of their receipt.”

Article 2

The text of Directive 2001/81/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) Constitutional requirements indicated.