II

(Preparatory Acts)

ECONOMIC AND SOCIAL COMMITTEE

Opinion on the proposal for a Council Directive on Air Pollution by Ozone [1]

(92/C 49/01)

On 23 July 1991 the Council decided to consult the Economic and Social Committee, under Article 130 S of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Protection of the Environment, Public Health and Consumer Affairs, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 3 December 1991. The Rapporteur was Mr Colombo.

At its 292nd plenary session (meeting of 18 December 1991) the Economic and Social Committee unanimously adopted the following Opinion.

Though the Committee welcomes and supports the proposed Directive, it is concerned over delays in the coordinated collection and processing of data on air pollution caused by photochemical oxidants, which are bound to affect the measures designed to limit such pollution at source. It therefore urges the Commission to take heed of the comments set out below and to consider this proposal as the first stage in a more extensive programme tackling the roots of the problem of curbing air pollution by ozone.

1. Introduction

1.1. Air pollution by photochemical oxidants is one of the major environmental threats to mankind. Photo-oxidants, and ozone in particular, have damaging effects on human health, flora and fauna and materials.

1.2. Ozone concentration measurement in the Member States is currently neither comparable nor standardized. In addition, the information available does not allow an overall assessment of the problem and the many complex phenomena involved are inadequately understood.

1.3. Hence the need for action to monitor ozone so as to collect and exchange information, obtain a fuller understanding of the problem, identify the sources and plan the requisite action and information.

1.4. Measures to tackle photochemical pollution started with the reduction of pollutant emissions (oxides of nitrogen and volatile organic compounds), concerning both stationary and mobile sources. It will take several years before these measures are fully implemented. Meanwhile the Commission proposes, as a first stage, to monitor their impact on ozone levels in Europe.

1.5. As regards protection of human health and flora and fauna, the proposal is based on the limit values recommended by the World Health Organization for permissible ozone concentration levels in the air (see table set out in par. 3 of the Explanatory Memorandum).

1.6. On monitoring and a warning system, when an ozone pollution episode occurs, binding limit values are considered premature. Meanwhile, as a preliminary step, the following measures are proposed:

— the Member States should set up new networks, or supplement existing ones, for measurement of ozone in the air (the methods used must comply with criteria that can be approved or are equivalent),

[1] OJ No C 192, 23. 7. 1991, p. 17.

— the data collected will be exchanged between the Member States and the Commission in order to prepare for a subsequent stage in the control of photochemical pollution,

— when an ozone pollution episode occurs, public information procedures will focus on precautions and preventive measures.

1.7. Lastly, a number of subsequent measures to improve air quality are planned:

— a framework directive to cover general aspects connected with air pollution,

— to be followed by other specific directives concerning individual pollutants, limited to a small number of provisions.

2. General comments

2.1. The proposed directive's aim is to harmonize and coordinate the collection of data; measures to limit precursors would only be adopted in a later phase. The Committee feels that the information currently available could justify accelerated action, starting by identifying initial measures to curb pollution at source (in the first instance, NO_x emissions).

2.2. The following list of photochemical precursors, indicating the main sources (besides natural ones)—which is based on data provided by the CORINAIR system—would therefore seem helpful:

Oxides of nitrogen:

— road vehicles,

— thermal power and combustion plants,

— ships,

— aeroplanes.

Volatile organic compounds:

— paint manufacture and use,

— methane plants,

— petrochemical plants and refineries,

— fuel supply networks,

— biomass.

2.3. Research into potential measures to limit precursors should be stepped up to pinpoint possibilities for curbing emissions and technological conversion measures, to be accompanied in due course by economic and tax instruments providing incentives [1], anchored in EC environment policies.

2.4. The Committee regards the European Evironment Agency, once it is set up, as the appropriate body for collecting and harmonizing data and determining the required measures.

2.5. Any further delay in setting up this Agency would therefore be most regrettable. The Committee calls on the Council of Ministers to determine the Agency's seat and responsibilities so as to ensure that the directives that have been, or are in the process of being, adopted have the benefit of vital technical and planning back-up.

2.6. Though convinced of the need to keep the public fully informed on pollution, the Committee feels that unnecessary alarmism should be avoided by placing emphasis on effective preventive action by the competent authorities in the Member States.

2.7. In view of the complexity of this phenomenon, the Committee wishes remote and other points of measurement to be identified more clearly so that the sources (including natural sources) of pollution can be charted.

2.8. The Committee urges the Commission to undertake research projects focusing on the systematic study of ozone patterns and movements in the air in conjunction with centres recording atmospheric data.

2.9. The Committee is anxious that the future European Environment Agency should provide adequate assistance to those Member States which lag behind in setting up a measurement network.

3. Specific comments

3.1. On the requirement in Article 6.2 that Member States must inform the Commission, the Committee is keen that excessive red tape should be avoided and computerized systems adopted to facilitate communication.

3.2. Article 8 gives 1 July 1997 as the deadline for a proposal on the control of air pollution by ozone. This date seems too distant and should preferably be brought forward since commitments by the Member States could otherwise be held off until after the turn of the century. The Committee observes that the Commission is already studying measures to curb pollution in specific sectors and urges the Member States to adopt

[1] OJ No C 322, 31. 12. 1990.

measures in the light of the information currently available so as to accelerate measures to curb sources of pollution. In addition, where the limit values for precursors are exceeded, such data should be submitted.

3.3. In Annex I it would be preferable to state limit values in fractions of a million, as well as in $\mu gO_3/m^3$. Here the Committee calls for the harmonization of units of measurement as well as methods.

3.4. To ensure the balanced distribution and scientific accuracy of data registrations Annex II should cover the measurement of remote points (where the concentration is in its most natural state).

3.5. In the first line of point 3 of Annex II, after 'additional measurement points', the words 'of ozone precursors' should be added to identify the potential sources.

3.6. In Annex IV the Committee calls for a clearer distinction between information of the public in general and the precautions to be taken in the case of concentrations in excess of $350\mu/m^3$, to avoid unnecessary alarmism.

Done at Brussels, 18 December 1991.

The Chairman

of the Economic and Social Committee

François STAEDELIN

Opinion on the proposal for a Council Directive relating to the external projections forward of the cab's rear panel of motor vehicles of category N [1]

(92/C 49/02)

On 14 August 1991 the Council decided to consult the Economic and Social Committee, under Article 100 A of the Treaty establishing the European Economic Community, on the abovementioned proposal.

The Section for Industry, Commerce, Crafts and Services, which was responsible for preparing the Committee's work on the subject, adopted its Opinion on 4 December 1991 in the light of the Report by Mr Pearson.

At its 292nd plenary session (meeting of 18 December 1991) the Economic and Social Committee adopted the following Opinion unanimously.

1. General remarks

1.1. The Committee fully approves the measures proposed by the Commission concerning the external projections to commercial motor vehicle cabs, ensuring that no sharp external projections are permitted thereby contributing to the safety of the public in the event of an accident.

1.2. The proposals are a welcome extension of Directives 70/156/EEC and 87/403/EEC and are part of the EC type approval procedure for motor vehicles.

2. Specific comments

2.1. *Article 1*

This Article should also include a reference to Directive 87/403/EEC which modifies Directive 70/156/EEC.

[1] OJ No C 230, 4. 9. 1991, p. 32.