Amended proposal for a Council Directive on ambient air quality assessment and management [1]

(95/C 238/06)

(Text with EEA relevance)

COM(95) 312 final — 94/0106(SYN)

(Submitted by the Commission pursuant to Article 189a (2) of the EC Treaty on 6 July 1995)

[1] OJ No C 216, 6. 8. 1994, p. 4.

ORIGINAL PROPOSAL	AMENDED PROPOSAL
Recital 3	Recital 3
Whereas the numerical values for the ambient air quality objectives shall be based on the findings of work carried out by international scientific groups active in the field;	Whereas the numerical values for the ambient air quality objectives shall be based on the findings of work carried out by international scientific groups active in the field; whereas this work must cover in particular the analysis of the effects of the combined action of various pollutants or sources of pollution and the effect of climate on the activity of the various pollutants examined in the context of this Directive;
	Recital 15b (new)
	Whereas there is a need to avoid increasing the amount of information to be transmitted by the Member States; whereas the information gathered by the Commission pursuant to the implementation of this Directive may be useful to the European Environment Agency and may therefore be transmitted to it by the Commission;
	Recital 15c (new)
	Whereas the European Environment Agency must be involved in the Commission's work on tasks linked to the implementation of this Directive for which it is competent;
Article 4 (1)	Article 4 (1)
1. For those substances listed in Annex I, the Commission, after consultations with the advisory committee referred to in Article 12, shall submit to the Council proposals for the setting of the ambient air quality objectives according to the following timetable:	1. For those substances listed in Annex I, the Commission, after consultations with the advisory committee referred to in Article 12, shall submit to the Council proposals for the setting of the ambient air quality objectives according to the following timetable:
— no later than 31 December 1996 for substances 1 to 5,	— no later than 31 December 1996 for substances 1 to 5,
— in accordance with Article 8 of Council Directive 92/72/EEC for ozone,	— in accordance with Article 8 of Council Directive 92/72/EEC for ozone,
— as soon as possible and no later than 31 December 1999 for substances 7 to 14;	— no later than 30 June 1998 for substances 7 and 8,

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	— as soon as possible and no later than 31 December 1999 for substances 9 to 14;
	Article 4 (1) (b) (new)
	(b) The Commission shall ensure that the quality objectives referred to in the previous paragraphs are reviewed at regular intervals taking account on each occasion of new developments in scientific research in the relevant epidemiological fields, and new advances in measuring techniques.
	Article 4 (1) (c) (new)
	(c) The Commission shall, as soon as possible, examine the need and procedures for setting air quality objectives in relation to other substances listed in Annex I.3
Article 4 (2) (a)	Article 4 (2) (a)
(a) the measurement: — the location of the sampling points, — the minimum number of sampling points, — the measuring techniques;	(a) the measurement: — the location of the sampling points, — the minimum number of sampling points, — the measuring and sampling techniques;
Article 7 (1)	Article 7 (1)
1. Member States shall take appropriate measures to ensure that, within the time limits which will be fixed in the Acts referred to in Article 4, the limit values set at Community level are not exceeded.	1. Member States shall take appropriate measures to ensure that, within the time limits which will be fixed in the Acts referred to in Article 4, the limit values set at Community level are not exceeded. The Member States shall take such measures subject to the regulations governing the operation of industrial installations, taking into account the forthcoming directive on integrated pollution prevention and control.
Article 7 (2)	Article 7 (2)
2. Member States shall make short-term plans for action to be taken in cases where an exceedance is forecast in order to reduce the likelihood of exceedance and to limit its duration.	2. Member States shall make short-term plans for action to be taken in cases where an exceedance is forecast in order to reduce the likelihood of exceedance and to limit its duration. Where applicable, these short-term plans shall also provide for the temporary suspension of activities which contribute towards exceeding the limit values, and the prohibition of road traffic.
Article 7 (3) (c) (i)	Article 7 (3) (c) (i)
(i) send these plans or programmes to the Commission as soon as possible and at the latest within two years after the end of the year during which levels were observed;	(i) send these plans or programmes to the Commission as soon as possible and at the latest within one year after the end of the year during which levels were observed;

ORIGINAL PROPOSAL	AMENDED PROPOSAL
ANNEX I	*ANNEX I*
1. **Pollutants covered by EC directives**	1. **Stage one pollutants**
	4. suspended particulate matter (SPM, PM10)
2. **Other ambient air pollutants for consideration:**	2. **Other ambient air pollutants for consideration:**
7. carbon monoxide (CO)	7. benzene (C_6H_6)
8. cadmium (Cd)	8. carbon monoxide (CO)
9. acid deposition	9. cadmium
10. benzene (C_6H_6)	10. acid deposition
11. poly-aromatic hydrocarbons (PAH) (Benzo-a-pyrene (BaP) as indicator)	11. poly-aromatic hydrocarbons (PAH) (Benzo-a-pyrene (BaP) as indicator)
12. arsenic (As)	12. arsenic (As)
13. fluoride	13. fluoride
	14. nickel compounds classified as carcinogenic under category L of Directive 67/548/EEC.
	3. **Pollutants that should be considered at a second stage:**
	— dioxins,
	— VOC,
	— methane,
	— ammonia,
	— nitric acid,
	— poly-aromatic hydrocarbons in general.
	Annex II, point 5a (new)
	5a. Risk assessment methods may also be used.
Annex III, point 6, first indent	Annex III, point 6, first indent
— Details of those factors responsible for the excess (transport, formation),	— Details of those factors responsible for the excess (transport (including transfrontier transport), formation),