Opinion of the European Economic and Social Committee on the 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — A Clean Air Programme for Europe'

COM(2013) 918 final,

the

'Proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC'

COM(2013) 920 final — 2013/0443 (COD),

the

'Proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants'

COM(2013) 919 final — 2013/0442 (COD),

and the

'Proposal for a Council Decision on the acceptance of the Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone'

COM(2013) 917 final

(2014/C 451/22)

Rapporteur: **Antonello Pezzini**

On 13 and 15 January 2014 and 18 December 2013 respectively, the European Parliament, the Council, and the Commission decided to consult the European Economic and Social Committee, under Articles 192 and 304 of the Treaty on the Functioning of the European Union, on the:

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — A Clean Air Programme for Europe.

COM(2013) 918 final

the

Proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC

COM(2013) 920 final — 2013/0443 (COD)

the

Proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants

COM(2013) 919 final — 2013/0442 (COD)

and the

Proposal for a Council Decision on the acceptance of the Amendment to the 1999 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone

COM(2013) 917 final.

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 19 June 2014.

At its 500th plenary session, held on 9 and 10 July (meeting of 10 July), the European Economic and Social Committee adopted the following opinion by 82 votes to one with no abstentions.

1. **Conclusions and recommendations**

1.1 The EESC stresses the need to ensure a healthy environment and excellent air quality as basic components of living and working conditions in order to safeguard the well-being of Europeans, and regrets that such an important factor is no longer as high up on the agenda of EU and national political priorities as it needs to be.

1.2 The EESC calls on the new Parliament, the new Commission and the Council to ensure that the EU institutions make it a top priority to safeguard safe and clean air standards in the future, with the full involvement of the social partners and organised civil society.

1.3 The EESC considers air pollution to be among the most serious human health and environmental hazards, with significant adverse effects in terms of respiratory disorders, premature death, eutrophication and the degradation of ecosystems. It welcomes the Commission's initiative to establish a new Clean Air Programme and to reduce loss of life expectancy from 8,5 months in 2005 to 4,1 months in 2030, thereby gaining 180 million life years and protecting biodiversity in another 200 000 km^2.

1.3.1 The EESC is convinced that achieving the transition to a more sustainable European economy involves setting a 2030 target, with a more certain medium to long term perspective, which businesses and investors need.

1.4 The EESC considers it advisable to step up the application of Euro 6 emissions caps, measured on the basis of 'real driving emissions', and the arrangements for replacing two-stroke engines since it doubts that the application of these measures will be able to achieve the desired results by 2020.

1.5 The EESC supports the Commission's final objective — set out in the Clean Air Programme and the 2020-2030 energy and climate framework — to establish the emissions threshold for 2030 at a 70 % 'gap closure' between the current legislation baseline and the maximum feasible emission reductions (MTFR).

1.6 In order to achieve this objective, which must be enforced and implemented by all the parties involved, the EESC believes that firm action is required, including:

— the introduction of emissions reduction requirements for methane in 2020 and for mercury in 2020, 2025 and 2030;

— more stringent emissions caps for medium combustion plants;

— the refusal of optional derogations from the Industrial Emissions Directive in cases that entail concrete health hazards;

— specific measures to reduce ammonia and methane in the agricultural sector;

— more decisive action on transport emissions, including 'real-world' measurements and the application of related tests in 2014, upon the introduction of the Euro 6 standards;

— the decisive implementation of the IMO's NO_x and SO_2 standards for ships by 2016, as agreed in 2008, in all European maritime areas, as Emission Control Areas;

— action to adopt stringent standards for particulate matter (PM) for new household appliances;

— the design and development of eco-friendly machinery and plants;

— the full application of product life cycle assessments (LCA);

— medium to long-term predictability, as opposed to overlapping policy measures;

— support for education and training for consumers, workers and young people on the preservation and development of a healthy working, recreational and residential environment;

— the promotion of research and investment in terms of innovative market applications of the best available techniques (BAT), sustainable growth and decent and lasting employment;

— the international dimension of action to achieve environmental sustainability;

— the assurance of consistency between this new strategy and other EU policies and objectives.

1.7 The EESC fully agrees that the amendments to the *Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone* need to be incorporated into EU legislation.

1.8 Although the qualitative long-term objectives of the proposal for a new NERCs directive are undisputed, the EESC regrets that the 2025 objectives are not binding since this would secure their full enforcement.

1.9 The EESC emphasises the need for regional policies to include measures to maintain healthy air quality levels since it is convinced that due to the high level of accumulated pollution and regional meteorological conditions, air quality management will only work if it is supported by EU policies to reduce emissions.

1.10 National governments and local authorities need to show unwavering commitment to planning concrete measures aimed at reducing harmful emissions by developing detailed regional Air Quality Action Plans (AQAPs) with a strong emphasis on the various manufacturing, farming, service and private sectors, and energy production and distribution. The Commission should send a clear message concerning their effective enforcement, with prompt and firm action against non-compliant Member States. The EESC acknowledges however that several Member States have already taken steps in the right direction.

1.11 Initiatives must be held to involve professional organisations, organised civil society, NGOs, the third sector, information centres, at all levels, and research centres, in order to achieve the objective of continuous air quality improvements, which is vital to public welfare and the ecosystem.

1.12 The Committee reiterates its firm belief in the need for Europe to return to a sustainable form of economic development that prioritises quality of life, jobs, public health and environmental protection, tying in closely with all other Europe 2020 policy priorities and fully incorporating a comprehensive transition strategy towards the planet's balance, based on qualitative economic growth, which contributes to eradicating poverty and social injustice and, at the same time, preserves natural resources for future generations.

2. **Introduction**

2.1 Air pollution presents serious human health and environmental hazards: respiratory disorders, premature death, eutrophication and the degradation of ecosystems due to nitrogen deposits and acid substances are only a few of the consequences of this simultaneously local and transboundary issue.

2.2 In recent decades, EU and international policies have already delivered results, reducing some of the problems associated with air pollution, such as a reduction in sulphur dioxide emissions — which cause acid rain — of over 80 %.

2.3 Despite this progress, the EU is still far from meeting its long-term objective, i.e. air quality improvements that significantly reduce human health and environmental risks, and fine particulate matter and ground-level ozone continue to cause serious problems which, according to the Commission's estimates ([1]), cause 406 000 deaths a year.

([1]) COM(2013) 918 final.

2.4 Fine particulate matter and ozone in particular still present serious health risks. Safe levels for these substances are regularly exceeded.

2.5 The Commission estimates the total external health-related cost of air pollution to be in the region of EUR 330 to 940 billion per year, whereas the proposed 2030 objectives would result in benefits ranging in value from EUR 44 to 140 billion.

2.6 According to the Commission, in 2010, air pollution not only caused several hundred thousand premature deaths in the EU but also exposed about two-thirds of its land area to harmful contaminants. And this is due to emissions.

2.7 The health impacts for Europeans are estimated at EUR 4 billion in terms of hospital care and EUR 100 million in terms of lost working days per year.

2.8 Regarding the international situation, in December 2012, the United States decided to review annual air quality standards, setting the limit for fine particulate matter at 12 micrograms per cubic metre, i.e. far lower than the EU limit of 25 micrograms per cubic metre, whereas the government of China has decided to invest EUR 160 billion in air quality regulation, over the next five years, in the Beijing area alone. This means that the EU has not kept pace with international developments.

3. **General comments**

3.1 The EESC endorses the overall objectives of significantly improving air quality by moving towards a low-carbon economy, both in terms of health and environmental protection, as set out in the 2005 strategy on air pollution and reviewed by the Commission in its Clean Air Programme for Europe.

3.2 Emissions reduction goals for each Member State have always been decided on the basis of cost-effectiveness considerations since environmental conditions vary. The required emission reductions differ for each country: 'differentiation versus a flat rate approach'.

3.2.1 Bearing in mind the damage caused by air pollution to health, quality of life and ecosystems, the EESC is concerned that air quality is no longer as high up on the EU and national agendas as it should be. It believes that to achieve the transition to a more sustainable European economy, it is important to set a 2030 target, with a medium to long term perspective, which businesses and investors need.

3.3 **The revision of the strategy** on air pollution seeks to put a stop to current breaches of existing air quality standards and to achieve full compliance by 2020 at the latest by reducing NO_x emissions from light diesel engines through the application of Euro 6, measured on the basis of 'real driving emissions'. The EESC doubts that these measures could deliver the desired outcomes as early as 2020 since the requirement will not come into effect until 2017 and it might not be possible to replace the current fleet by 2020.

3.4 Furthermore, this strategy relies on the contribution of local and regional action, with all the intrinsic limitations of such measures. Regional measures have not been very effective so far, mainly due to the high level of accumulated pollution and regional meteorological conditions. The EESC is convinced that air quality management, at these levels, will only work if it is supported by EU policies to reduce emissions at source.

3.5 According to the Committee, the Commission should nevertheless take into consideration a range of equally important and relevant factors:

— a cost-efficiency assessment of the proposed measures;

— competitiveness and sustainable innovations;

— the international dimension of environmental sustainability;

— cutting red tape and streamlining of processes;

— consistency and coordination between the EU policies concerned;

— EU and national support for education and training in this area;

— the concentration of EU and national research and innovation (R&I) efforts to apply the best available technologies;

— the decisive enforcement of the new quality standards in all the relevant sectors.

3.5.1 The EESC believes that political priority at the EU and national level should continue to be given to research and innovation and to education and training, which should be geared to restoring growth and sustainable employment and to a qualitative improvement in the re-industrialisation of the European economy, especially for small and medium-sized enterprises and start-ups, within current European budgetary constraints.

3.6 Furthermore, the Committee believes that it is important to ensure that **this new revised strategy is consistent with other EU policies**. Thus, for example, you can see that although residential wood combustion contributes to the emission of PM2,5, its use is encouraged as an alternative energy source even though this would require the emissions classification and performance assessment of the equipment.

3.7 In any case, the EESC believes that a set of equally important and relevant factors need to be taken into consideration in the international agreement on climate by 2015.

3.8 The EESC stresses the importance of **encouraging EU-level Public-Private Partnerships (PPP)**, such as the **Clean Sky 2 Joint Undertaking for 2014-2020**, set up to cut aviation emissions and to contribute to the research activities under Council Regulation (EC) No 71/2008 and the Horizon 2020 Framework Programme.

4. **Specific comments (I)**

4.1 *The 1979 Convention on Long-range Transboundary Air Pollution*

4.1.1 The 1979 Convention on Long-Range Transboundary Air Pollution (the LRTAP Convention) concluded under the auspices of the United Nations Economic Commission for Europe (UNECE) is the main international legal framework for cooperation and measures to limit and gradually reduce air pollution and its adverse effects upon human health and the environment through its eight protocols, including the 1999 protocol.

4.1.2 The EESC agrees that amendments to the protocol should be transposed into EU law.

4.2 *The proposal for a revised directive on national emission reduction commitments (NERCs)*

4.2.1 The proposal for a directive establishes national emission reduction commitments (NERCs) for 2020, 2025 and 2030 for each Member State, expressed as a percentage of annual emission reductions for sulphur dioxide (SO_2), nitrogen oxides (NO_x), ammonia (NH_3), non-methane volatile organic compounds (NMVOCs), particulate matter (PM2.5) and methane (CH_4) as compared to their respective emissions levels for these pollutants in 2005.

4.2.2 In the past 20 years, significant progress in the field of air quality and anthropogenic emissions has been achieved in the EU as a consequence of the air pollution policies and strategies adopted by the EU and its Member States with a long-term objective of reaching air quality levels that do not give rise to significant negative human health and environmental impacts and risks, as set out in the seventh Environment Action Programme ([2]).

4.2.3 This much is apparent even though progress on air quality has definitely slowed down and the currently proposed targets fall short of what the Member States would achieve through the full enforcement of requirements under existing EU legislation.

([2]) COM(2012) 710 final.

4.2.4 Whereas the proposed qualitative long-term objectives are virtually undisputed, the EESC is concerned that the 2025 objectives are non-binding as a consequence of the difficulties identified in securing the enforcement of current standards.

4.2.5 The EESC considers that strengthened platforms for specific interactive dialogue are required **to assess the provisions set out in the proposal for a directive**.

4.3 *Proposal for a directive on emissions from medium combustion plants*

4.3.1 The EESC believes that extending action to control emissions of air polluting substances from combustion plants with a rated thermal input between 1 and 50 MW that are used for a wide variety of applications **must be implemented through straightforward and inexpensive procedures** in order to support and encourage the development of small and medium-sized enterprises and start-ups, not to mention small-scale infrastructure, across Europe.

5. **Specific comments (II)**

5.1 Air pollutants may come from a range of sources and may even be carried long distances.

5.2 In order to ensure the full implementation of the Clean Air Programme for Europe, regions need to draft and adopt **Air Quality Action Plans (AQAPs)**, after consulting the social partners and organised civil society, covering in particular the following considerations:

— road, maritime and air transport and mobility;

— energy production and consumption;

— the production system;

— the tertiary sector;

— the arable, livestock and forestry sectors;

— the private sector.

5.3 The Commission's clean air package follows and builds on the policies already developed in order to pursue the fight against air pollution, in contrast with the political agenda.

5.3.1 The EESC believes that it is crucial for this process to involve the local and regional authorities, alongside the national authorities, together with the social partners and organised civil society.

5.4 *Recommendations for the local transposition of the clean air package*

5.4.1 The local transposition of the clean air package should identify synergies with the various plans:

— **waste**, energy recovery, reduction of per capita waste generation, raw material recovery;

— **transport and mobility**, development of public transport, cycling lanes, promotion of mobility and low CO_2 emissions, integration of transport modes, maritime and air navigation;

— **land and urban management,** land use, development of new settlement models, rehabilitation of housing stock;

— **arable and livestock farming**, wood energy (local sourcing), biomass and biogas, ammonia emissions, carbon sinks;

— **industry**, technological development with a low environmental impact, innovation and quality certification (ISO 14000 and EMAS), attention to ecodesign requirements, environmental quality labelling for products, energy management systems and compliance with the regulations on the consumption of electric motors.

5.4.2 **The local transposition of the package** should also cover the more urgent measures linked to local economies and productivity and set rules for biomass combustion, in addition to requirements and incentives for the replacement of the car fleet.

5.5 **Measures to further cut SO_2 (sulphur dioxide) emissions** are necessary, especially in regions with significant industrial combustion and with energy production and fuel processing plants.

5.6 *Agricultural measures*

5.6.1 Measures should be introduced across the EU — and especially in farming regions — to cut NH_3 (ammonia), N_2O (nitrous oxide), CH_4 (methane) and VOCs (volatile organic compounds), following the example of the measures already in place in several Member States. The use of nitrogen and slurry fertilisers is the main source (98 %) of NH_3 emissions which, interact with SO_2 and NO_2 to form ammonium salts, the main component of particulate matter.

5.6.2 The following are extremely important: full compliance with the Nitrates Directive (Council Directive 91/676/EEC); a requirement to cover manure storage lagoons; the establishment of recycling systems, through anaerobic digestion, for the production of digestate, with comparable characteristics to artificial fertilisers, the proper management of manure and the dispersal of the ensuing harmful slurry. However, these measures must to take into account the balance between economic, social and ecological interests. Reducing emissions in agriculture is a very complex issue that calls for greater investment in research and development.

5.6.3 It is necessary to use farming methods with low particulate emissions.

5.6.4 The EESC underlines the fact that the sector is already governed by a series of regulations that have still to be fully implemented, however, and reiterates its conviction that the Commission has missed an opportunity to establish a consolidated framework to control emissions. Bovine species are still excluded from the scope of this communication. There are, nevertheless, other regulations concerning bovine species, which are the main source of ammonia emissions.

5.7 *Measures in urban centres*

5.7.1 **In conurbations and high-density traffic areas** particular attention must be given to PM2,5 and PM10 (fine particulate matter with a diameter of less than 10 micrometres) and CO and CO_2 (carbon monoxide and dioxide) and to reducing NO_x. Particulate filters in diesel engines — as well as experimental petrol filters — can achieve emission reduction efficiency rates exceeding 90 % (closed loop filters).

5.7.2 It is very important for school and office buildings on streets with heavy traffic to insulate opaque and transparent vertical panels in order to reduce VOC and fine particulate (PM10 and PM2,5) pollution ([3]).

5.8 *Local, regional, national and EU transport measures*

5.8.1 With regard to commercial and passenger vehicles, steps should be taken to replace Euro 3 vehicles with Euro 5 and 6 vehicles through limits on circulation and incentives. The same approach should be used to replace Euro 1 two-stroke engines (motorcycles, mopeds, chain saws and lawn mowers). This calls for the following local, regional and national action.

5.8.1.1 Appropriate methods for measuring NO_x emissions from light-duty diesel vehicles should be adopted at EU and national levels as soon as possible — before 2017 — given their adverse effects on urban air quality.

5.8.1.2 The use of methane and LPG (Liquefied Petroleum Gas), hydrogen, liquefied natural gas, ethanol and other advanced biofuels should be promoted at national and regional levels. The development of electromobility and electric charging infrastructure should be speeded up. It should be possible to identify the emissions class of lorries through on-board electronic equipment.

5.8.1.3 The use of methane gas should be promoted by providing businesses and municipalities with EU, national and local financial support to establish networks and/or further develop them.

([3]) See Standard EN 15242:2008 — Ventilation for buildings — Calculation methods for the determination of air flow rates in buildings including infiltration.

5.8.1.4 Investment in local public transport (LPT) should be financed through nationally and locally co-financed multiannual EU projects. Buses should:

— be eco-friendly, powered by alternative fuels;

— use bimodal hybrid propulsion;

— be electric (all-electric with battery on board) and equipped with plug-in or inductive (Faraday) charging systems.

5.8.1.5 Potential interactions between fixed structures, information technologies and modes of transport should be exploited. The use of materials containing photocatalytic substances with titanium dioxide (TiO_2) nanopigments, which split pollutant molecules and render them harmless to health (roads, traffic barriers, plaster and other construction works) should be supported. On this subject, motorway junctions with an Italcementi patented i.active COAT, which clean the air and are highly retro-reflective, are of interest.

Brussels, 10 July 2014.

The President
of the European Economic and Social Committee
Henri MALOSSE