



Plenary sitting

A9-0233/2023

5.7.2023

*****I**
REPORT

on the proposal for a directive of the European Parliament and of the Council
on ambient air quality and cleaner air for Europe (recast)
(COM(2022)0542 – C9-0364/2022 – 2022/0347(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: **Javi López**

(Recast – Rule 110 of the Rules of Procedure)

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe (recast)
(COM(2022)0542 – C9-0364/2022 – 2022/0347(COD))**

(Ordinary legislative procedure – recast)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0542),
 - having regard to Article 294(2) and Article 192 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0364/2022),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 22 February 2023¹,
 - after consulting the Committee of the Regions,
 - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts²,
 - having regard to the letter of 27 June 2023 sent by the Committee on Legal Affairs to the Committee on the Environment, Public Health and Food Safety in accordance with Rule 110(3) of its Rules of Procedure,
 - having regard to Rules 110 and 59 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Transport and Tourism,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0233/2023),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;
1. Adopts its position at first reading hereinafter set out, taking into account the

¹ OJ C 146, 27.4.2023, p. 46.

² OJ C 77, 28.3.2002, p. 1.

recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;

2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) In December 2019, the European Commission set out in its Communication ‘The European Green Deal’⁴⁰ an ambitious roadmap to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, aiming to protect, conserve and enhance the Union’s natural capital, and to protect the health and well-being of citizens from environment-related risks and impacts. Specifically on clean air, the **European Green Deal** committed to further improving air quality and to aligning EU air quality standards more closely with the recommendations of the World Health Organization (WHO). It also announced a strengthening of provisions on air quality monitoring, modelling and planning.

⁴⁰ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal; COM(2019) 640 final.

Amendment

(2) In December 2019, the European Commission set out in its Communication ‘The European Green Deal’⁴⁰ an ambitious roadmap to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, aiming to protect, conserve and enhance the Union’s natural capital, and to protect the health and well-being of citizens from environment-related risks and impacts. Specifically on clean air, the **Commission** committed *itself* to further improving air quality and to aligning EU air quality standards more closely with the recommendations of the World Health Organization (WHO). It also announced a strengthening of provisions on air quality monitoring, modelling and planning.

⁴⁰ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal; COM(2019) 640 final.

Amendment 2

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) The Zero Pollution Action Plan also sets out a vision for the year 2050, where air pollution is reduced to levels no longer

Amendment

(4) The Zero Pollution Action Plan also sets out a vision for the year 2050, where air pollution is reduced to levels no longer

considered harmful to health and natural ecosystems. To this end, **a staged** approach towards setting current and future EU air quality standards should be pursued, establishing **intermediate** air quality standards for the year 2030 and beyond, and developing a perspective for alignment with the WHO Air Quality Guidelines by the year 2050 at the latest based on a regular review mechanism to take into account the latest scientific **understanding**. Given the links between pollution reduction and decarbonisation, the long-term objective to achieve the zero pollution ambition should be pursued hand in hand with reduction of greenhouse gas emissions as set by Regulation (EU) 2021/1119 of the European Parliament and of the Council⁴².

⁴² Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1–17).

Amendment 3

Proposal for a directive Recital 4 a (new)

Text proposed by the Commission

considered harmful to health and natural ecosystems. To this end, **an ambitious** approach towards setting current and future EU air quality standards should be pursued, establishing air quality standards for the year 2030 and **at regular intervals** beyond, and developing a perspective for **continuous full** alignment with the **most up-to-date** WHO Air Quality Guidelines **in order to achieve the zero pollution objective** by the year 2050 at the latest based on a regular review mechanism to take into account the latest scientific **evidence**. Given the links between pollution reduction and decarbonisation, the long-term objective to achieve the zero pollution ambition should be pursued hand in hand with reduction of greenhouse gas emissions as set by Regulation (EU) 2021/1119 of the European Parliament and of the Council⁴².

⁴² Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1–17).

Amendment

(4a) In September 2021, the WHO released new Air Quality Guidelines, based on a comprehensive synthesis of the scientific evidence on health effects of air pollution. The conclusions of these Air Quality Guidelines specifically stress the importance of lowering the pollution concentrations at every level and show clear benefits for public health and the environment of such actions. This

Directive takes into account the latest scientific understanding and the need to fully align the Union air quality standards with the most recent WHO Air Quality Guidelines in order to fulfil the overall objectives of the Zero Pollution Action Plan.

Amendment 4

Proposal for a directive Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) The societal benefits from the continued and improved reduction of air pollution far outweigh the costs involved. According to Commission estimates, the annual direct costs of complying with various policy scenarios analysed under the impact assessment accompanying this Directive are between EUR 3,3 billion and EUR 7 billion, and the monetised health and environmental benefits are between EUR 36 billion and EUR 130 billion in 2030, thereby demonstrating that benefits of the air quality policy greatly exceeded implementation cost. Since the year 2000, air-polluting emissions in the Union have steadily decreased as a result of Union and national legislation.

Amendment 5

Proposal for a directive Recital 5

Text proposed by the Commission

Amendment

(5) In taking the relevant measures at Union and national level to achieve the zero pollution objective for air pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’ **and** the ‘polluter pays principle’ established in

(5) In taking the relevant measures at Union and national level to achieve the zero pollution objective for air pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’, the ‘polluter pays **principle**’ **and the**

the Treaty on the Functioning of the European Union, *and* the ‘do no harm’ principle of the European Green Deal. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment, the well-being of citizens, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy poverty; food security and affordability; the development of sustainable and smart mobility and transport solutions; the impact of behavioural changes; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through appropriate education and training programmes; best available and most recent scientific evidence, in particular the findings reported by the WHO; the need to integrate air pollution related risks into investment and planning decisions; cost-effectiveness and technological neutrality in achieving air pollutant emission reductions; and progression over time in environmental integrity and level of ambition.

‘prevention and rectifying pollution at source principle’ established in the Treaty on the Functioning of the European Union, the ‘do no harm’ principle of the European Green Deal *and the respect of the human right to a clean, healthy and sustainable environment*. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment *and ecosystem resilience*, the well-being of citizens, *equality and the protection of sensitive population and vulnerable groups, healthcare costs, the achievement of the Sustainable Development Goals (SDGs), the role of civil society*, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy poverty; food security and affordability; the development of sustainable and smart mobility and transport solutions *and their infrastructure*; the impact of behavioural changes; *the impact of fiscal policies*; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through appropriate education and training programmes, *including for healthcare professionals*; best available and most recent scientific evidence, in particular the findings reported by the WHO; the need to integrate air pollution related risks into investment and planning decisions; cost-effectiveness, *the best available technological solutions* and technological neutrality in achieving air pollutant emission reductions; and progression over time in environmental integrity and level of ambition, *guided by the non-regression principle established in the Charter of Fundamental Rights of the European Union*.

Amendment 6

Proposal for a directive Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) This Directive contributes to the attainment of the SDGs, in particular SDGs 3, 7, 10, 11 and 13.

Amendment 7

Proposal for a directive Recital 6

Text proposed by the Commission

Amendment

(6) The ‘Eighth General Union Environment Action Programme to 2030’ adopted by Decision (EU) 2022/591 of the European Parliament and of the Council on 6 April 2022⁴³ establishes **the objective** to achieve a non-toxic environment protecting the health and well-being of people, animals and ecosystems from environment-related risks and negative impacts, and, for that purpose, stipulates that further improvement of monitoring methods, better information to the public and access to justice are needed. This guides the objectives set in this Directive.

(6) The ‘Eighth General Union Environment Action Programme to 2030’ adopted by Decision (EU) 2022/591 of the European Parliament and of the Council on 6 April 2022⁴³ establishes **as one of its priority objectives** to achieve a non-toxic environment protecting the health and well-being of people, animals and ecosystems from environment-related risks and negative impacts, and, for that purpose, stipulates, **inter alia**, that further improvement of monitoring methods, **better transboundary coordination**, better information to the public and access to justice are needed. This guides the objectives set in this Directive.

⁴³ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22–36).

⁴³ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22–36).

Amendment 8

Proposal for a directive Recital 7

Text proposed by the Commission

(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment and technological **development**. Based on the review, the Commission should assess whether applicable air quality standards are still appropriate to achieve the objectives of this Directive. The first review should be carried out by 31/12/2028 to assess whether air quality standards need to be updated based on the latest scientific information.

Amendment

(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment, **health inequalities, direct and indirect healthcare costs associated with air pollution, environmental costs, and behavioural, fiscal and technological developments**. Based on the review, the Commission should assess whether applicable air quality standards are still appropriate to achieve the objectives of this Directive. The first review should be carried out by 31/12/2028 to assess whether air quality standards need to be updated based on the latest scientific information. **The Commission should regularly assess the contribution of Union legislation laying down emissions standards for sources of air pollution to the achievement of the air quality standards established by this Directive and, where necessary, propose additional Union measures.**

Amendment 9

Proposal for a directive Recital 10

Text proposed by the Commission

(10) Modelling applications should be applied to enable point data to be interpreted in terms of geographical distribution of concentration, to help to detect breaches of air quality standards, and to inform air quality plans and the placement of sampling points. In addition to the requirements for air quality monitoring defined in this Directive, for monitoring purposes, Member States are encouraged to exploit information products and supplementary tools (e.g. regular evaluation and quality assessment reports,

Amendment

(10) **Where relevant**, modelling applications should be applied to enable point data to be interpreted in terms of geographical distribution of concentration **of pollutants**, to help to detect breaches of air quality standards, and to inform air quality plans and **air quality roadmaps and** the placement of sampling points. In addition to the requirements for air quality monitoring defined in this Directive, for monitoring purposes, Member States are encouraged to exploit information products and supplementary tools (e.g. regular

policy online applications), provided by the Earth Observation component of the EU Space Programme, in particular the Copernicus Atmosphere Monitoring Service (CAMS).

evaluation and quality assessment reports, policy online applications), provided by the Earth Observation component of the EU Space Programme, in particular the Copernicus Atmosphere Monitoring Service (CAMS).

Amendment 10

Proposal for a directive

Recital 11

Text proposed by the Commission

(11) It is important that pollutants of emerging concern, such as ultrafine particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in order to support scientific understanding of their effects on health and the environment, as recommended by the WHO.

Amendment

(11) It is important that pollutants of emerging concern, such as ultrafine particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in order to support scientific understanding of their effects on health and the environment, as recommended by the WHO, **and with a view to establishing limit values for them in the framework of the first review of this Directive in 2028. The Commission should continue to monitor scientific developments regarding any other pollutants not covered by this Directive and assess the need to extend its provisions to these pollutants.**

Amendment 11

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) Detailed measurements of fine particulate matter at rural background locations should be made in order to understand better the impacts of **this pollutant** and to develop appropriate policies. Such measurements should be made in a manner consistent with those of the cooperative programme for monitoring

Amendment

(12) Detailed measurements of fine particulate matter, **black carbon, mercury and ammonia** at rural background locations should be made in order to understand better the **transboundary contribution and the impacts of those pollutants**, and to develop appropriate policies, **including the possible**

and evaluation of the long range transmission of air pollutants in Europe (EMEP) set up under the 1979 United Nations Economic Commission for Europe (UNECE) Convention on Long-range Transboundary Air Pollution approved by Council Decision 81/462/EEC of 11 June 1981⁴⁴ and its Protocols, including the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone of 1999, which was revised in 2012 .

introduction of limit values, target values or critical levels. Such measurements should be made in a manner consistent with those of the cooperative programme for monitoring and evaluation of the long range transmission of air pollutants in Europe (EMEP) set up under the 1979 United Nations Economic Commission for Europe (UNECE) Convention on Long-range Transboundary Air Pollution approved by Council Decision 81/462/EEC of 11 June 1981⁴⁴ and its Protocols, including the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone of 1999, which was revised in 2012 .

⁴⁴ Council Decision 81/462/EEC of 11 June 1981 on the conclusion of the Convention on long-range transboundary air pollution (OJ L 171, 27.6.1981, p. 11).

⁴⁴ Council Decision 81/462/EEC of 11 June 1981 on the conclusion of the Convention on long-range transboundary air pollution (OJ L 171, 27.6.1981, p. 11).

Justification

Amendment in order to safeguard the internal logic of the text.

Amendment 12

Proposal for a directive

Recital 15

Text proposed by the Commission

(15) In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission reduction measures at local, national and Union level , in particular when it comes to emissions from agriculture, industries, transport and energy generation . Therefore, emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards set for ambient air quality ***taking into account relevant World Health Organization***

Amendment

(15) In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission reduction measures at local, national and Union level, in particular when it comes to emissions from agriculture, industries, transport, ***heating and cooling systems*** and energy generation. ***Relevant Union legislation such as on European vehicle emission standards or on industrial emissions are instrumental in further reducing ambient air pollution.*** Therefore,

standards, guidelines and programmes.

emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards set for ambient air quality ***on the basis of the latest scientific evidence as published in the most up-to-date WHO Air Quality Guidelines and in line with the Zero Pollution Action Plan for 2050.***

Justification

New drafting for consistency with the changes made to the wording used when mentioning the WHO Air Quality Guidelines and the latest scientific evidence, as well as with Annexes I and VII.

Amendment 13

**Proposal for a directive
Recital 15 a (new)**

Text proposed by the Commission

Amendment

(15a) Agriculture is a significant source of air pollution: it accounts for around 93 % of total ammonia emissions in the Union, while the agricultural emissions of methane, the precursor of ozone ground level formation, and of particulate matter such as PM₁₀, account for about 54 % of total emissions of this gas in the Union. Member States should take the necessary measures to reduce emissions in agriculture, alongside those in the other sectors, which could include, inter alia, measures to reduce emissions linked to livestock management, such as nitrogen management systems and low-emission animal housing systems, sustainable management of agricultural waste, sustainable crop management, precision farming, efficient use of resources and alternative energy sources.

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 14

Proposal for a directive Recital 15 b (new)

Text proposed by the Commission

Amendment

(15b) The Commission should assess the consistency of any relevant draft measure or legislative proposal, including budgetary proposals, with the air quality standards set out in this Directive, before adoption, and include that assessment in any impact assessment accompanying those measures or proposals, and make the result of that assessment publicly available at the time of adoption. The Commission should endeavour to align its draft measures and legislative proposals with the objectives of this Directive. In any case of non-alignment, the Commission should provide its reasons as part of the consistency assessment.

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 15

Proposal for a directive Recital 15 c (new)

Text proposed by the Commission

Amendment

(15c) Air pollutants emitted from the transport sector pose a particular risk to the health of people living in urban areas and near transport hubs. Member States and the relevant regional and local authorities should therefore consider implementing Sustainable Urban Mobility Plans and invest in zero-emission

technologies and measures enabling a modal shift towards active, collective and sustainable transport systems, as well as the creation of green spaces and pedestrian areas in the cities with the aim to reduce air pollution and road congestion, especially in urban areas in line with the communication of the Commission of 9 December 2020 entitled ‘Sustainable and Smart Mobility Strategy - putting European transport on track for the future’. Member States should also take all necessary measures to accelerate the deployment of alternative fuels infrastructure, in particular electric recharging infrastructure for light- and heavy-duty vehicles, as well as carry out regular transport infrastructure quality checks to identify the areas in need of decongestion and infrastructure optimisation, and take appropriate measures, with the support of Union funding, where applicable.

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 16

Proposal for a directive
Recital 15 d (new)

Text proposed by the Commission

Amendment

(15d) Air pollution from maritime transport alone leads to over 50 000 premature deaths annually in the Union^{1a}. While the most detrimental part of maritime transport exhausts is sulphur dioxide pollution, NOx should not be forgotten. The impact of maritime transport on the environment and on coastal communities, both in terms of ecosystem damage and public health, could be alleviated with a comprehensive

electrification of short-distance and urban maritime transport, in addition to zero-emission requirements and infrastructure at berth. Moreover, comprehensive coverage of the Union maritime space under sulphur emission control area (SECA) and nitrogen emission control area (NECA) zones would significantly contribute to the reduction of air pollution in ports and port cities, as well as in Union waters.

^{1a} Brandt, J., Silver, J. D., and Frohn, L. M., Assessment of Health-Cost Externalities of Air Pollution at the National Level using the EVA Model System, CEEH Scientific Report No 3, 2011.

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 17

Proposal for a directive Recital 16

Text proposed by the Commission

(16) Scientific evidence shows that sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel, some polycyclic aromatic hydrocarbons and ozone are responsible for significant **negative impacts** on human health . Impact on human health and the environment occurs via concentrations in ambient air .

Amendment

(16) Scientific evidence shows that sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel some polycyclic aromatic hydrocarbons and ozone are responsible for **an array of significant adverse effects** on human health **that can result in premature death, and that there is no identifiable threshold below which those substances do not pose a risk to human health. Those substances damage most organ systems and are linked to many debilitating diseases, such as childhood and adult-onset asthma, cardiovascular diseases,**

chronic obstructive pulmonary disease, pneumonia, strokes, diabetes, lung cancer, impaired cognitive development and dementia. Impact on human health and the environment occurs via concentrations in ambient air *and via deposition.*

Amendment 18

Proposal for a directive Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Air pollution affects the human body, in both the short and long term, in ways that are detrimental to health. Even though air pollution is a universal health problem that affects everyone, the risks are not evenly distributed amongst the population, with some groups of people at greater risk of harm than others. Sensitive population and vulnerable groups, such as those with specific pre-existing health conditions (e.g. respiratory or cardiovascular diseases), pregnant women, newborns, children, the elderly, people living with disabilities or having inadequate access to medical care, and workers who are exposed to particularly high levels of air pollution in their profession, appear to be most at risk, as highlighted by studies linking air pollution to decreased cognitive performance among the elderly as well as suggesting that poor air quality is especially dangerous to children. Those groups should be informed and protected. This Directive recognises the increased risks and specific needs of sensitive population and vulnerable groups as regards air pollution and aims to address health inequalities caused by polluted air.

Amendment 19

Proposal for a directive
Recital 16 b (new)

Text proposed by the Commission

Amendment

(16b) While ambient air pollution is a major environmental health risk affecting everyone and all Member States, there is ample evidence emerging on the associations between socio-economic status and air pollution, demonstrating in particular that the health of people of lower socio-economic status tends to be more affected by air pollution than the health of the general population as a result of their both greater exposure and higher vulnerability^{1a}. Member States should take into account such factors when drafting, implementing or updating their air quality plans or air quality roadmaps to address effectively the social aspects of air pollution and to minimise the socio-economic impacts of measures taken.

^{1a} Unequal exposure and unequal impacts: social vulnerability to air pollution, noise and extreme temperatures in Europe, European Environment Agency, 2018.

Amendment 20

Proposal for a directive
Recital 18

Text proposed by the Commission

Amendment

(18) The average exposure of the population to the pollutants with the highest documented impact on human health, fine particulate matter (PM_{2.5}) and nitrogen dioxide (NO₂), should be reduced based on WHO recommendations. To this end, an average exposure reduction obligation should be introduced for these

(18) The average exposure of the population to the pollutants with the highest documented impact on human health, fine particulate matter (PM_{2.5}) and nitrogen dioxide (NO₂), should be reduced based on ***the most up-to-date*** WHO recommendations. To this end, an average exposure reduction obligation should be introduced for these pollutants, in addition

pollutants, in addition to limit values.

to limit values. ***The average exposure reduction obligation should complement and not substitute those limit values which have demonstrated to be the most effectively enforceable standards to date.***

Amendment 21

Proposal for a directive Recital 19

Text proposed by the Commission

(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC)⁴⁵ has shown that limit values are more effective in bringing down pollutant concentrations than target values. With the aim of minimising harmful effects on human health, paying particular attention to vulnerable groups and sensitive populations, and the environment limit values should be set for the concentration of sulphur dioxide, nitrogen dioxide, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air. Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air.

⁴⁵ Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).

Amendment

(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC)⁴⁵ has shown that limit values are more effective in bringing down pollutant concentrations than ***other types of air quality standards, such as*** target values. With the aim of minimising harmful effects on human health, paying particular attention to vulnerable groups and sensitive populations, and the environment limit values should be set for the concentration of sulphur dioxide, nitrogen dioxide, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air. ***To ensure effective protection against harmful effects on ecosystems, those limit values should be regularly updated in light of the most recent recommendations by the WHO.*** Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air.

⁴⁵ Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).

Amendment 22

Proposal for a directive
Recital 21

Text proposed by the Commission

(21) Ozone is a transboundary pollutant formed in the atmosphere from the emission of primary pollutants addressed by Directive 2016/2284/EU of the European Parliament and of the Council⁴⁶. Progress towards the air quality targets and long-term objectives for ozone set in this Directive should be determined by the targets and emission reduction commitments provided for in Directive 2016/2284/EU and, by implementing cost-effective measures and air quality plans.

⁴⁶ Directive (EU) 2016/2284/EU of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p.1).

Amendment

(21) Ozone is a transboundary pollutant formed in the atmosphere from the emission of primary pollutants, **some of which are** addressed by Directive 2016/2284/EU of the European Parliament and of the Council⁴⁶. **Ground-level ozone adversely affects not only human health but also vegetation and ecosystems, leading to decreased crop yields and forest growth, and loss of biodiversity.** Progress towards the air quality targets and long-term objectives for ozone set in this Directive should be determined by the targets and emission reduction commitments provided for in Directive 2016/2284/EU and, by implementing cost-effective measures, **air quality roadmaps** and air quality plans.

⁴⁶ Directive (EU) 2016/2284/EU of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p.1).

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 23

Proposal for a directive
Recital 22

Text proposed by the Commission

(22) The ozone target values and long-term objectives of ensuring effective

Amendment

(22) The ozone target values and long-term objectives of ensuring effective

protection against harmful effects on human health and vegetation and ecosystems from exposure to ozone should be updated in light of the most recent recommendations of the World Health Organization .

protection against harmful effects on human health and vegetation and ecosystems from exposure to ozone should be **regularly** updated in light of the most recent recommendations of the World Health Organization .

Amendment 24

Proposal for a directive Recital 23

Text proposed by the Commission

(23) An alert threshold for sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, **and an information threshold for ozone**, should be set for the protection of the general population , **vulnerable and sensitive sections, respectively**, from brief exposures to elevated **ozone** concentrations. Those thresholds should trigger the dissemination of information to the public on the risks of exposure and the implementation, **if appropriate**, of short-term measures to reduce pollution levels where the alert threshold is exceeded.

Amendment

(23) An alert **threshold and an information** threshold for sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, should be set for the protection of the general population, **and especially sensitive population and vulnerable groups**, from brief exposures to elevated concentrations **of pollutants**. Those thresholds should trigger the dissemination of information to the public on the **associated health** risks of exposure and the implementation, of short-term measures to reduce pollution levels where the alert threshold is exceeded. **Alert and information thresholds are not set for the other regulated pollutants, as evidence on the health effects of those pollutants often considers long-term exposure effects only. In the event that scientific evidence emerges on their short-term exposure effects, the Commission should evaluate the need to introduce alert and information thresholds for those pollutants.**

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 25

Proposal for a directive
Recital 25

Text proposed by the Commission

(25) Air quality status should be maintained where it is already good, or improved. Where the standards for ambient air quality laid down in this Directive are at risk of not being met, or have not been met, Member States should take immediate action in order to comply with the limit values , average exposure reduction obligations and critical levels, and **where possible**, to attain the ozone target values and long-term objectives.

Amendment

(25) Air quality status should be maintained where it is already good, or improved. Where the standards for ambient air quality laid down in this Directive are at risk of not being met, or have not been met, Member States should take immediate **and continuous** action in order to comply with the limit values , average exposure reduction obligations and critical levels, and to attain the ozone target values and long-term objectives

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 26

Proposal for a directive
Recital 29

Text proposed by the Commission

(29) Contributions from natural sources can be assessed but **cannot be controlled**. Therefore, where natural contributions to pollutants in ambient air can be determined with sufficient certainty, and where exceedances are due in whole or in part to these natural contributions, these may, under the conditions laid down in this Directive, be subtracted when assessing compliance with air quality limit values and average exposure reduction obligations . Contributions to exceedances of particulate matter limit values attributable to winter-sanding or winter-salting of roads may also be subtracted when assessing compliance with air quality limit values provided that reasonable measures have

Amendment

(29) Contributions from natural sources can be assessed but **can in some instances be difficult to control**. Therefore, where natural contributions to pollutants in ambient air can be determined with sufficient certainty, and where exceedances are due in whole or in part to these natural contributions, **which are beyond the Member States' control and could not have been anticipated, mitigated or prevented**, these may, under the conditions laid down in this Directive, be subtracted when assessing compliance with air quality limit values and average exposure reduction obligations. Contributions to exceedances of particulate matter limit values attributable to winter-sanding or

been taken to lower concentrations.

winter-salting of roads may also be subtracted when assessing compliance with air quality limit values *only when evidence is provided that all* reasonable measures have been taken to lower concentrations. ***Subtractions of those contributions when assessing compliance with air quality limit values and average exposure reduction obligations should not prevent Member States from taking action to reduce their health impact.***

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 27

**Proposal for a directive
Recital 29 a (new)**

Text proposed by the Commission

Amendment

(29a) It is crucial to systematically monitor air quality in the vicinity of air pollution hotspots where pollution level is strongly influenced by the emissions from heavy pollution sources that could expose individuals and population groups to elevated risks of adverse health effects. To that end, Member States should install sampling points in the air pollution hotspots, such as ports or airports, with the aim to improve the understanding of the impact of those sources on air pollution, and to take appropriate measures to minimise their impact on human health.

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 28

Proposal for a directive Recital 30

Text proposed by the Commission

(30) For zones where conditions are particularly difficult, it should be possible to postpone the deadline for compliance with the air quality limit values in cases where, notwithstanding the implementation of appropriate pollution abatement measures, acute compliance problems exist in specific zones **and agglomerations**. Any postponement for a given zone **or agglomeration** should be accompanied by a comprehensive plan to be assessed by the Commission to ensure compliance by the revised deadline.

Amendment

(30) For zones where conditions are particularly difficult, it should be possible to postpone the deadline for compliance with the air quality limit values in cases where, notwithstanding the implementation of appropriate pollution abatement measures, acute compliance problems exist in specific zones. Any postponement for a given zone should be accompanied by a comprehensive plan to be assessed by the Commission to ensure compliance by the revised deadline.

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 29

Proposal for a directive Recital 31

Text proposed by the Commission

(31) Air quality plans should be developed and updated for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values, ozone target values or average exposure reduction obligations. Air pollutants are emitted from many different sources and activities. To ensure coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared pursuant to Directive 2010/75/EU **2001/80/EC** of the European Parliament and of the Council⁴⁸, Directive (EU)

Amendment

(31) Air quality plans should be developed and updated for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values, ozone target values or average exposure reduction obligations. Air pollutants are emitted from many different sources and activities. To ensure coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared pursuant to Directive 2010/75/EU of the European Parliament and of the Council⁴⁸, Directive (EU) 2016/2284, and Directive

2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council⁴⁹.

2002/49/EC of the European Parliament and of the Council⁴⁹.

⁴⁸ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁴⁸ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁴⁹ Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12.)

⁴⁹ Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12.)

Justification

"2001/80/EC" is deleted as this number is wrong. Directive 2001/80/EC has been repealed by Directive 2010/75/EU, which is mentioned just before.

Amendment 30

Proposal for a directive Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) As clarified by the case-law of the Court of Justice^{1a}, the provisions on air quality plans do not allow the deadline for complying with air quality standards to be extended. The fact that an air quality plan has been drawn up does not, in itself, mean that a Member State has nevertheless fulfilled its obligations to ensure that levels of air pollutants do not exceed the air quality standards established by this Directive.

^{1a} Judgment of the Court of Justice of 10 November 2020, European Commission v Italian Republic, C-644/18, ECLI:EU:C:2020:895, paragraph 154, and judgment of the Court of Justice of

19 November 2014, ClientEarth v The Secretary of State for the Environment, Food and Rural Affairs, C-404/13, ECLI:EU:C:2014:2382, paragraph 49.

Amendment 31

Proposal for a directive

Recital 32

Text proposed by the Commission

(32) Air quality *plans should also be prepared ahead of 2030 where there is a risk that Member States will not attain the limit values or ozone target value by that date in order to ensure that levels of pollutants are reduced accordingly.*

Amendment

(32) *In order to align Union legislation with the latest scientific evidence and the most recent WHO Air Quality Guidelines, this Directive sets new air quality standards to be met by 2030. Member States and competent authorities should in anticipation of the 2030 deadline for new limit values laid down in Section 1, Table 1, of Annex I, develop a distinct type of an air quality plan, a so-called air quality roadmap, for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values set for 2030. The air quality roadmap should set out short- and long-term policies and measures in order to comply with those limit values by 2030 at the latest. For the sake of legal clarity, and notwithstanding the specific terminology used, an air quality roadmap should be considered to be an air quality plan as defined in Article 4, point (36).*

Amendment 32

Proposal for a directive

Recital 34

Text proposed by the Commission

(34) Member States should cooperate with one another if, following significant pollution originating in another Member State, the level of a pollutant exceeds, or is

Amendment

(34) Member States should cooperate with one another if, following significant pollution originating in another Member State, , the level of a pollutant exceeds, or

likely to exceed, any limit value, ozone target value, average exposure reduction obligation or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, *may* require coordination between neighbouring Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public. Where appropriate, Member States should pursue cooperation with third countries, with particular emphasis on the early involvement of candidate countries. The Commission should be timely informed of and invited to assist in any such cooperation.

is likely to exceed, any limit value, ozone target value, average exposure reduction obligation or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, *should* require *rapid* coordination between neighbouring Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public *as soon as possible*. Where appropriate, Member States should pursue cooperation with third countries, with particular emphasis on the early involvement of candidate countries. The Commission should be timely informed of and invited to assist in any such cooperation.

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text. The amendment is linked to the changes made to Article 1.

Amendment 33

Proposal for a directive Recital 35

Text proposed by the Commission

(35) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air as well as air quality plans and short-term action plans should also be readily available to the public.

Amendment

(35) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air as well as air quality plans, *air quality roadmaps* and short-term action plans should also be readily available to the public *in a coherent and easily understandable manner*.

Justification

Amended to be coherent with changes in the text such as Article 19(4) and Article 15(3).

Amendment 34

Proposal for a directive Recital 35 a (new)

Text proposed by the Commission

Amendment

(35a) The Digital Economy and Society Index (DESI) shows that over 40 % of adults in the Union lack basic digital skills^{1a}. Member States should therefore ensure that information to be made public in accordance with this Directive is communicated, where relevant, also via non-digital communication channels.

^{1a} ***Digital Economy and Society Index (DESI) 2022 (<https://digital-strategy.ec.europa.eu/en/policies/desi>).***

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 35

Proposal for a directive Recital 40

Text proposed by the Commission

Amendment

(40) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Where damage to human health has occurred as a result of a violation of Articles 19, 20, 21 of this Directive, Member States should ensure

(40) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Where damage to human health ***and well-being*** has occurred as a result of a violation of Articles **13**, 19, 20, 21 of this Directive, Member States should

that the individuals affected by such violations are able to claim and obtain compensation for that damage from the relevant competent authority. ***The rules on compensation, access to justice and penalties set in*** this Directive ***have*** the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. ***They*** thus seeks to integrate into the policies of the Union a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development as laid down in Article 37 of the Charter, and puts into concrete terms the obligation to protect the right to life and to the integrity of the person laid down in Articles 2 ***and 3*** of the Charter. It also contributes to the right to an effective remedy before a tribunal as laid down in Article 47 of the Charter, in relation to the protection of human health.

ensure that the individuals affected by such violations are able to claim and obtain compensation for that damage from the relevant competent authority. This Directive ***has*** the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. ***It*** thus seeks to integrate into the policies of the Union a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development as laid down in Article 37 of the Charter, and puts into concrete terms the obligation to protect the right to life and to the integrity of the person, ***the respect for private life and the right to healthcare*** laid down in Articles 2, ***3, 7 and 35*** of the Charter. It also contributes to the right to an effective remedy before a tribunal as laid down in Article 47 of the Charter, in relation to the protection of human health. ***In addition, it recognises and protects the human right to a clean, healthy and sustainable environment as recognised by the United Nations General Assembly in resolution 76/300 of 28 July 2022.***

Amendment 36

Proposal for a directive Recital 40 a (new)

Text proposed by the Commission

Amendment

(40a) Rebuttable presumptions are a common mechanism for alleviating a claimant's evidential difficulties, while preserving the rights of the defendant. Rebuttable presumptions are only applicable provided that certain conditions are fulfilled. In order to maintain a fair apportionment of risk, and to avoid a reversal of the burden of proof, a claimant should be required to demonstrate sufficiently relevant

evidence, including scientific data, that give rise to a presumption that the violation has caused or contributed to the occurrence of damage. In light of the evidentiary challenges faced by injured persons, especially in complex cases, such a rebuttable presumption will achieve a fair balance between the rights of the individuals suffering from human health damage and the relevant authorities. It should also be possible to use relevant scientific data as evidence in accordance with national law. Where such relevant scientific data is not available, it should be possible to use other evidence to support the claim in accordance with national law. Considering that air quality standards are set on the basis of scientific knowledge on the harmful effects of air pollution on human health, where limit values are exceeded, air pollution becomes potentially harmful to the health and well-being of those exposed to it^{1a}.

*^{1a} European Court of Human Rights judgment in *Fadeyeva v. Russia*, 55723/00, (ECtHR, 9 June 2005), §87.*

Amendment 37

Proposal for a directive Article 1 – paragraph 1

Text proposed by the Commission

1. This Directive sets out a zero pollution objective for air quality, so that within the Union air quality is progressively improved to levels no longer considered harmful to human health **and** natural ecosystems, as defined by scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.

Amendment

1. This Directive sets out a zero pollution objective for air quality, so that within the Union air quality is progressively improved to levels no longer considered harmful to human health, natural ecosystems **and biodiversity**, as defined by **the best available and most up-to-date** scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.

Amendment 38

Proposal for a directive Article 1 – paragraph 2

Text proposed by the Commission

2. This Directive sets **intermediate** limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, **information thresholds, alert thresholds and long-term objectives** ('**air quality standards**') to be met by the year 2030, and regularly reviewed thereafter in accordance with Article 3.

Amendment

2. This Directive sets limit values, target values, average exposure reduction obligations, average exposure concentration objectives **and** critical levels, to be met **as soon as possible and** by the year 2030 **at the latest**, and regularly reviewed thereafter in accordance with Article 3. **It also sets long-term objectives, information thresholds and alert thresholds as part of air quality standards.**

Amendment 39

Proposal for a directive Article 1 – paragraph 3

Text proposed by the Commission

3. Furthermore, this Directive contributes to achieving: the Union's pollution-reduction, biodiversity and ecosystem objectives in accordance with the 8th Environment Action Programme, as set out in Decision (EU) 2022/591 of the European Parliament and of the Council⁵⁵.

Amendment

3. Furthermore, this Directive contributes to achieving the Union's pollution-reduction, biodiversity and ecosystem objectives in accordance with the 8th Environment Action Programme, as set out in Decision (EU) 2022/591 of the European Parliament and of the Council⁵⁵, **as well as to enhanced synergies between the Union's air quality policy and other relevant Union policies, in particular climate, transport and energy policies.**

⁵⁵ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

⁵⁵ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

Amendment 40

Proposal for a directive
Article 2 – paragraph 1 – point 3

Text proposed by the Commission

3. measures for monitoring ambient air quality long-term trends and impacts of Union and national measures on ambient air quality ;

Amendment

3. measures for monitoring ambient air quality long-term trends and impacts of Union and national measures, ***as well as measures established in cooperation with third countries,*** on ambient air quality;

Amendment 41

Proposal for a directive
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

4. measures ensuring that the information on ambient air quality is made available to the public;

Amendment

4. measures ensuring that the information on ambient air quality is ***harmonised across the Union and*** made available to the public;

Justification

Amendment for consistency with the changes on Article 22, requiring harmonised air quality indices across the EU.

Amendment 42

Proposal for a directive
Article 2 – paragraph 1 – point 6

Text proposed by the Commission

6. measures promoting increased cooperation between Member States in reducing air pollution.

Amendment

6. measures promoting increased cooperation between Member States, ***regional and local authorities, within and between Member States, as well as with third countries that have a common border with the Union,*** in reducing air pollution.

Justification

Amendment needed to ensure consistency in the text. In most cases, air pollution and harmful

effects on human health and the environment do not stop at the border of the Member State, particularly where a production facility is located not far from the border, which means that reliable and effective ways of cooperation at cross-border level, including with candidate or non-EU countries, must be established, to enable interventions in the shortest possible time and in the most efficient manner, as also advocated in Article 4, paragraph 1, point 37

Amendment 43

Proposal for a directive Article 3 – paragraph 1

Text proposed by the Commission

1. By 31 December 2028, and every 5 years thereafter, and more often if substantial new scientific findings point to the need for it, the Commission shall review the scientific evidence related to air pollutants and their effects on human health and the environment relevant to achieving the objective set in Article 1 and present a report with the main findings to the European Parliament and to the Council.

Amendment

1. By 31 December 2028, and every 5 years thereafter, and more often if substantial new scientific findings point to the need for it, the Commission shall review the scientific evidence related to air pollutants and their effects on human health and the environment relevant to achieving the objective set in Article 1 and present a report with the main findings to the European Parliament and to the Council. ***The review shall be carried out without undue delay following the publication of the latest WHO Air Quality Guidelines.***

Amendment 44

Proposal for a directive Article 3 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In order to achieve the objectives set in Article 1, the review shall assess whether this Directive needs to be revised with a view to ensuring alignment with the World Health Organization (WHO) Air Quality Guidelines and the latest scientific information.

Amendment

In order to achieve the objectives set in Article 1, the review shall assess whether this Directive needs to be revised with a view to ensuring ***full and continuous*** alignment with the ***most up-to-date*** World Health Organization (WHO) Air Quality Guidelines, ***the most recent review by the WHO Regional Office for Europe*** and the latest scientific information.

Amendment 45

Proposal for a directive Article 3 – paragraph 2 – subparagraph 3 – point a

Text proposed by the Commission

(a) latest scientific information from WHO and other relevant organisations,

Amendment

(a) latest scientific information from **relevant Union bodies**, WHO and other relevant **scientific** organisations,

Amendment 46

Proposal for a directive Article 3 – paragraph 2 – subparagraph 3 – point b

Text proposed by the Commission

(b) technological developments impacting air quality and its assessment,

Amendment

(b) **behavioural changes, fiscal policies and** technological developments impacting air quality and its assessment,

Amendment 47

Proposal for a directive Article 3 – paragraph 2 – subparagraph 3 – point c

Text proposed by the Commission

(c) air quality **situations** and associated impacts on human health and the environment in Member States,

Amendment

(c) air quality and associated impacts on human health and the environment in Member States,

Amendment 48

Proposal for a directive Article 3 – paragraph 2 – subparagraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) **direct and indirect healthcare and environmental costs associated with air pollution as well as cost-benefit analysis,**

Amendment 49

Proposal for a directive

Article 3 – paragraph 2 – subparagraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(da) progress made in implementing other relevant Union legislation, in particular in the field of climate, transport and energy,

Amendment 50

Proposal for a directive

Article 3 – paragraph 2 – subparagraph 3 – point d b (new)

Text proposed by the Commission

Amendment

(db) introduction by individual Member States of more stringent air quality standards in accordance with Article 193 TFEU.

Amendment 51

Proposal for a directive

Article 3 – paragraph 2 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

The Commission shall support and work closely with the WHO Regional Office for Europe to monitor and review the scientific evidence on health effects of air pollution.

Amendment 52

Proposal for a directive

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In the first regular review, by 31

December 2028, the Commission shall propose, if appropriate, limit values, target values or critical levels for the air pollutants measured by the monitoring supersites referred to in Article 10 but currently not included in Annex I. Those values or levels shall be in line with the latest scientific evidence as to what is necessary to protect human health and the environment. In the framework of the first regular review, the Commission shall publish an assessment on the possibility to convert the target value for ozone into a limit value, accompanied, if appropriate, by a legislative proposal.

Amendment 53

Proposal for a directive Article 3 – paragraph 4

Text proposed by the Commission

4. Where the Commission considers it appropriate, as a result of the review, it shall present a proposal to revise air quality standards or to cover other air pollutants.

Amendment

4. Where the Commission considers it appropriate, as a result of the review, it shall present a proposal to revise air quality standards or to cover other air pollutants. ***Such a proposal shall be developed in line with the non-regression principle.***

Amendment 54

Proposal for a directive Article 4 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) ‘air quality standards’ means limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds and alert thresholds;

Justification

Term used in Article 1(2). Included also here, so that all definitions are in the same article for greater clarity and consistency of the text.

Amendment 55

**Proposal for a directive
Article 4 – paragraph 1 – point 21**

Text proposed by the Commission

Amendment

(21) ‘objective estimation’ means an assessment method to obtain quantitative or qualitative information on the concentration or deposition level of a pollutant through expert judgement, which may include use of statistical tools, remote sensing, and in-situ sensors;

deleted

Amendment 56

**Proposal for a directive
Article 4 – paragraph 1 – point 23**

Text proposed by the Commission

Amendment

(23) ‘urban background locations’ means places in urban areas where levels are representative of the exposure of the general urban population;

(23) ‘urban background locations’ means places in urban areas where levels are representative of the exposure of the general urban population, *including urban sensitive population and vulnerable groups*;

Justification

The amendment creates coherence with the concept of "sensitive population and vulnerable groups" defined in Article 4(39).

Amendment 57

**Proposal for a directive
Article 4 – paragraph 1 – point 24**

Text proposed by the Commission

(24) ‘rural background locations’ means places in rural areas with low population density where levels are representative of the exposure of the general rural population;

Amendment

(24) ‘rural background locations’ means places in rural areas with low population density where levels are representative of the exposure of the general rural population, ***including rural sensitive population and vulnerable groups***;

Amendment 58

Proposal for a directive

Article 4 – paragraph 1 – point 24 a (new)

Text proposed by the Commission

Amendment

(24a) ‘air pollution hotspot’ means a place where the pollution level is strongly influenced by the emissions from heavy pollution sources such as, but not limited to, nearby congested and heavily trafficked roads, motorways or other highways, a single industrial source or an industrial area with many sources, ports, airports, intensive residential heating, or a combination thereof;

Amendment 59

Proposal for a directive

Article 4 – paragraph 1 – point 26

Text proposed by the Commission

Amendment

(26) ‘limit value’ means a level ***which is not to be exceeded and*** which is fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects on human health or the environment ;

(26) ‘limit value’ means a level which is fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects on human health or the environment, ***and which is to be attained within a given period and not to be exceeded once attained*** ;

Justification

Clarification amendment. The words "not to be exceeded" are moved to the end.

Amendment 60

Proposal for a directive

Article 4 – paragraph 1 – point 28

Text proposed by the Commission

(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations throughout the territorial unit at NUTS **1** level as described in Regulation (EC) No 1059/2003, or, if there is no urban area located in that territorial unit, at rural background locations, and which reflects population exposure, used to check whether the average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met;

Amendment

(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations throughout the territorial unit at NUTS **2** level as described in Regulation (EC) No 1059/2003, or, if there is no urban area located in that territorial unit, at rural background locations, and which reflects population exposure, used to check whether the average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met;

Amendment 61

Proposal for a directive

Article 4 – paragraph 1 – point 29

Text proposed by the Commission

(29) ‘average exposure reduction obligation’ means a percentage reduction of the average exposure of the population, expressed as average exposure indicator, of a territorial unit at NUTS **1** level as described in Regulation (EC) No 1059/2003 of the European Parliament and of the Council⁵⁷ set for the reference year with the aim of reducing harmful effects on human health, to be attained over a given period;

Amendment

(29) ‘average exposure reduction obligation’ means a percentage reduction of the average exposure of the population, expressed as average exposure indicator, of a territorial unit at NUTS **2** level as described in Regulation (EC) No 1059/2003 of the European Parliament and of the Council⁵⁷ set for the reference year with the aim of reducing harmful effects on human health, to be attained over a given period ***and not to be exceeded once attained***;

⁵⁷ Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units

⁵⁷ Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units

for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

Justification

Amendment for consistency with the wording on the definition set out in Article 4, paragraph 1, point 26.

Amendment 62

Proposal for a directive Article 4 – paragraph 1 – point 30

Text proposed by the Commission

(30) ‘average exposure concentration objective’ means a level of the average exposure indicator ***to be attained***, with the aim of reducing harmful effects on human health ;

Amendment

(30) ‘average exposure concentration objective’ means a level of the average exposure indicator ***set*** with the aim of reducing harmful effects on human health, ***to be attained within a given period and not to be exceeded once attained***;

Amendment 63

Proposal for a directive Article 4 – paragraph 1 – point 35

Text proposed by the Commission

(35) ‘contributions from natural sources’ means emissions of pollutants not caused directly or indirectly by human activities, including natural events such as volcanic eruptions, seismic activities, geothermal activities, wild-land fires, high-wind events, sea sprays or the atmospheric re-suspension or transport of natural particles from dry regions;

Amendment

(35) ‘contributions from natural sources’ means emissions of pollutants not caused directly or indirectly by human activities, including natural events such as volcanic eruptions, seismic activities, geothermal activities, wild-land fires, high-wind events, sea sprays or the atmospheric re-suspension or transport of natural particles from dry regions, ***which the Member State concerned could not have prevented or mitigated by policy actions***;

Justification

Amendment for consistency with change in Annex I.

Amendment 64

Proposal for a directive Article 4 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35a) ‘air quality roadmap’ means an air quality plan, adopted ahead of the attainment deadline of new limit values laid down in Section 1, Table 1, of Annex I, that sets out short- and long-term policies and measures in order to comply with those limit values;

Justification

Amendment for consistency with the changes made to Article 19, in order to differentiate the air quality plans that have to be adopted to guarantee the attainment of new limit values, from the ones to be adopted when there is an exceedance of the limit values.

Amendment 65

Proposal for a directive Article 4 – paragraph 1 – point 36

Text proposed by the Commission

Amendment

(36) ‘air quality plans’ means plans that set out measures in order to comply with limit values, ozone target values or average exposure reduction obligations ;

(36) ‘air quality plans’ means plans that set out measures in order to comply with limit values, ozone target values or average exposure reduction obligations ***once these have been exceeded;***

Amendment 66

Proposal for a directive Article 4 – paragraph 1 – point 38

Text proposed by the Commission

Amendment

(38) ‘the public concerned’ means the public affected or likely to be affected by exceedances of air quality standards, or having an interest in, the decision-making procedures related to the implementation of

(38) ‘the public concerned’ means the public affected or likely to be affected by exceedances of air quality standards, or having an interest in, the decision-making procedures related to the implementation of

the obligations under this Directive, including non-governmental organisations promoting the protection of human health or the environment **and meeting any requirements under national law**;

the obligations under this Directive, including non-governmental organisations promoting the protection of human health or the environment;

Amendment 67

Proposal for a directive Article 4 – paragraph 1 – point 39

Text proposed by the Commission

(39) ‘sensitive population and vulnerable groups’ means those population groups that are more vulnerable to air pollution **exposure** than the average population, because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves.

Amendment

(39) ‘sensitive population and vulnerable groups’ means those population groups that are **permanently or temporarily more sensitive or** more vulnerable to **the effects of** air pollution than the average population, **because of specific characteristics that make the health consequences of exposure more significant or** because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves.

Amendment 68

Proposal for a directive Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) approval of measurement systems (methods, equipment, networks and laboratories);

Amendment

(b) approval of measurement systems (**locations**, methods, equipment, networks and laboratories) **and ensuring an adequate functioning and maintenance of the monitoring network**;

Justification

Amendment for consistency with the changes made in Annex IV, Part D, point 10 a (new).

Amendment 69

Proposal for a directive
Article 5 – paragraph 1 – point c

Text proposed by the Commission

(c) ensuring the accuracy of measurements;

Amendment

(c) ensuring the accuracy of measurements **and the transfer and sharing of measurement data, including their compliance with the data quality objectives laid down in Annex V**;

Justification

Amendment consistent with the obligations set out in Articles 22 and 23 on the provision of information to the public and reporting of information to the Commission.

Amendment 70

Proposal for a directive
Article 5 – paragraph 1 – point d

Text proposed by the Commission

(d) ensuring the accuracy of modelling applications;

Amendment

(d) ensuring the accuracy of **air quality** modelling applications;

Amendment 71

Proposal for a directive
Article 5 – paragraph 1 – point g

Text proposed by the Commission

(g) cooperation with the other Member States and the Commission;

Amendment

(g) cooperation with the other Member States, **third countries** and the Commission;

Justification

Amendment for consistency of the text (e.g. recital 34 and Article 2, paragraph 1, points 3 and 6).

Amendment 72

Proposal for a directive
Article 5 – paragraph 1 – point h

Text proposed by the Commission

(h) establishment of air quality plans;

Amendment

(h) establishment of air quality plans
and air quality roadmaps;

Amendment 73

Proposal for a directive
Article 5 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) provision and maintenance of an hourly updated air quality index and other relevant public information.

Amendment 74

Proposal for a directive
Article 8 – paragraph 4

Text proposed by the Commission

Amendment

4. In all zones where the level of pollutants is below the assessment threshold established for those pollutants, modelling applications, indicative measurements, **objective-estimation techniques, or a combination thereof** shall be sufficient for the assessment of the ambient air quality.

4. In all zones where the level of pollutants is below the assessment threshold established for those pollutants, **a combination of** modelling applications **and** indicative measurements shall be sufficient for the assessment of the ambient air quality.

Justification

Amendment for consistency with changes to paragraph 5.

Amendment 75

Proposal for a directive
Article 8 – paragraph 5

Text proposed by the Commission

5. If modelling **shows** an exceedance of any limit value or ozone target value in an area of the zone not covered by fixed measurements, additional fixed **or indicative** measurements shall be used during at least 1 calendar year **after the exceedance was recorded**, to assess the concentration level of the relevant pollutant.

Amendment

5. If modelling **or indicative measurements show** an exceedance of any limit value or ozone target value in an area of the zone not covered by fixed measurements, additional fixed measurements **shall be installed within 6 months after the exceedance was recorded and** shall be used during at least 1 calendar year to assess the concentration level of the relevant pollutant.

Amendment 76

**Proposal for a directive
Article 8 – paragraph 7**

Text proposed by the Commission

7. In addition to monitoring required under Article 10, Member States shall, **where applicable**, monitor ultrafine particles levels in accordance with Point D of Annex III and **Section 3** of Annex VII.

Amendment

7. In addition to monitoring required under Article 10, Member States shall monitor ultrafine particles levels, **black carbon, ammonia and mercury** in accordance with Point D of Annex III and **Sections 3, 3a, 3b and 3c** of Annex VII.

Amendment 77

**Proposal for a directive
Article 9 – paragraph 1 – subparagraph 1 a (new)**

Text proposed by the Commission

Amendment

The location of sampling points shall be representative of the exposure of at risk communities and of the exposure of one or more sensitive population and vulnerable groups.

Justification

Amendment consistent with the changes made to Annex VIII.

Amendment 78

Proposal for a directive Article 9 – paragraph 2

Text proposed by the Commission

2. In each zone where the level of pollutants exceeds the assessment threshold specified in Annex II, the number of sampling points for each pollutant shall not be less than the minimum number of sampling points specified in **Tables 3 and 4** of Points A and **Point C**, of Annex III .

Amendment

2. In each zone where the level of pollutants exceeds the assessment threshold specified in Annex II, the number of sampling points for each pollutant shall not be less than the minimum number of sampling points specified in Points A and C of Annex III .

Justification

Amendment to fix a typo error in the Commission proposal. Tables 3 and 4 apply to instances when numbers of monitoring sites can be reduced by 50%, dealt with in the following paragraph.

Amendment 79

Proposal for a directive Article 9 – paragraph 3 – point c

Text proposed by the Commission

(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative measurements have a minimum duration of 2 months per calendar year;

Amendment

(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative measurements have a minimum duration of 2 months per calendar year ***equally distributed over the calendar year***;

Amendment 80

Proposal for a directive Article 9 – paragraph 5

Text proposed by the Commission

5. Each Member State shall, in accordance with Annex IV, ensure that the distribution used for the calculation of the

Amendment

5. Each Member State shall, in accordance with Annex IV, ensure that the distribution used for the calculation of the

average exposure indicators for PM_{2.5} and NO₂, reflect the general population exposure adequately. The number of sampling points shall be no less than that determined by application of Point B, of Annex III.

average exposure indicators for PM_{2.5} and **nitrogen dioxide (NO₂)**, reflect the general population exposure adequately. The number of sampling points shall be no less than that determined by application of Point B, of Annex III.

Amendment 81

Proposal for a directive Article 9 – paragraph 7

Text proposed by the Commission

7. Sampling points at which exceedances of any limit value specified in Section 1 of Annex I were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary **due to special circumstances, including spatial development**. Relocation of sampling points shall be done within their area of spatial representativeness and be based on modelling results.

Amendment

7. Sampling points at which exceedances of any limit value specified in Section 1 of Annex I were recorded within the previous 3 years shall not be relocated, unless a relocation is **absolutely** necessary. Relocation of sampling points shall be done within their area of spatial representativeness, **ensure continuity of measurement** and be based on modelling results.

Amendment 82

Proposal for a directive Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Each Member State shall establish at least one monitoring supersite per **10** million inhabitants at an urban background location. Member States that have fewer than **10** million inhabitants shall establish at least one monitoring supersite at an urban background location.

Amendment

Each Member State shall establish at least one monitoring supersite per **2** million inhabitants at an urban background location. Member States that have fewer than **2** million inhabitants shall establish at least one monitoring supersite at an urban background location.

Amendment 83

Proposal for a directive Article 10 – paragraph 5

Text proposed by the Commission

5. Measurements at all monitoring supersites at urban background locations shall include fixed ***or indicative*** measurements of size distribution of ultrafine particles and particulate matter oxidative potential.

Amendment

5. Measurements at all monitoring supersites at urban background locations shall include fixed measurements of size distribution of ultrafine particles and particulate matter oxidative potential.

Amendment 84

Proposal for a directive

Article 10 – paragraph 6 – point a

Text proposed by the Commission

(a) fixed measurements of particulate matter (PM₁₀ and PM_{2.5}), nitrogen dioxide (NO₂), ozone (O₃), black carbon (BC), ammonia (NH₃) and ultrafine particles (UFP).

Amendment

(a) fixed measurements of particulate matter (PM₁₀ and PM_{2.5}), nitrogen dioxide (NO₂), ***sulphur dioxide (SO₂)***, ***carbon monoxide (CO)***, ozone (O₃), black carbon (BC), ammonia (NH₃) and ultrafine particles (UFP).

Amendment 85

Proposal for a directive

Article 10 – paragraph 6 – point b

Text proposed by the Commission

(b) fixed ***or indicative*** measurements of fine particulate matter (PM_{2.5}) for the purposes of providing, as a minimum, information on their total mass concentration and their chemical speciation concentrations on an annual average basis in accordance with Section 1 of Annex VII;

Amendment

(b) fixed measurements of fine particulate matter (PM_{2.5}) for the purposes of providing, as a minimum, information on their total mass concentration and their chemical speciation concentrations on an annual average basis in accordance with Section 1 of Annex VII;

Amendment 86

Proposal for a directive

Article 10 – paragraph 6 – point c

Text proposed by the Commission

(c) fixed **or indicative** measurements of arsenic, cadmium, nickel, total gaseous mercury, benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), and of the total deposition of arsenic, cadmium, mercury, nickel, benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), irrespective of concentration levels.

Amendment

(c) fixed measurements of arsenic, cadmium, nickel, total gaseous mercury, benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), and of the total deposition of arsenic, cadmium, mercury, nickel, **lead, benzene**, benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), irrespective of concentration levels.

Amendment 87

**Proposal for a directive
Article 10 – paragraph 7**

Text proposed by the Commission

7. Measurements of particulate and gaseous divalent mercury **may** also be undertaken at monitoring supersites at urban background locations and rural background locations.

Amendment

7. Measurements of particulate and gaseous divalent mercury **shall** also be undertaken at monitoring supersites at urban background locations and rural background locations.

Amendment 88

**Proposal for a directive
Article 12 – title**

Text proposed by the Commission

Requirements where levels are lower than the limit values, ozone target value and average exposure concentration objectives, **but above the assessment thresholds**

Amendment

Requirements where levels are lower than the limit values, ozone target value and average exposure concentration objectives

Justification

Deletion of the reference to assessment thresholds because it is incoherent with paragraph 4 of this article. If Member States shall endeavour to achieve the best ambient air quality, there is no reason to limit the obligation only to the areas where concentrations are above the assessment thresholds.

Amendment 89

Proposal for a directive Article 12 – paragraph 2

Text proposed by the Commission

2. In zones in which ozone levels are below the ozone target value Member States shall take necessary measures to maintain those levels below the ozone target value and *endeavour to* attain the long-term objectives specified in Section 2 of Annex I, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions so permit, *and provided that any necessary measures do not entail a disproportionate cost.*

Amendment

2. In zones in which ozone levels are below the ozone target value Member States shall take necessary measures to maintain those levels below the ozone target value and attain the long-term objectives specified in Section 2 of Annex I, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions so permit. *Once the long-term objectives are attained, Member States shall maintain the ozone levels below the long-term objectives.*

Amendment 90

Proposal for a directive Article 12 – paragraph 3

Text proposed by the Commission

3. In territorial units at NUTS *1* level as described in Regulation (EC) No 1059/2003 where the average exposure indicators for PM_{2.5} and NO₂ are below the respective value of the average exposure concentration objectives for those pollutants as laid down in Section 5 of Annex I, Member States shall maintain the levels of those pollutants below the average exposure concentration objectives

Amendment

3. In territorial units at NUTS *2* level as described in Regulation (EC) No 1059/2003 where the average exposure indicators for PM_{2.5} and NO₂ are below the respective value of the average exposure concentration objectives for those pollutants as laid down in Section 5 of Annex I, Member States shall maintain the levels of those pollutants below the average exposure concentration objectives

Amendment 91

Proposal for a directive Article 12 – paragraph 4

Text proposed by the Commission

4. Member States shall endeavour to achieve and preserve the best ambient air quality and a high level of environmental and human health protection, in line with the air quality guidelines published by the WHO and below the assessment thresholds laid down in Annex II .

Amendment

4. Member States shall endeavour to achieve and preserve the best ambient air quality and a high level of environmental and human health protection , in line with the ***most recent WHO*** Air Quality Guidelines ***and reviews*** published by the WHO ***Regional Office for Europe*** and below the assessment thresholds laid down in Annex II, ***paying particular attention to the protection of sensitive population and vulnerable groups.***

Amendment 92

**Proposal for a directive
Article 13 – paragraph 3**

Text proposed by the Commission

3. Member States shall ensure that the average exposure reduction obligations for PM_{2.5} and NO₂ laid down in Section 5, Point B, of Annex I, are met throughout their territorial units at NUTS ***1*** level, where they exceed the average exposure concentration objectives set out in Section 5, Point C, of Annex I.

Amendment

3. Member States shall ensure that the average exposure reduction obligations for PM_{2.5} and NO₂ laid down in Section 5, Point B, of Annex I, are met throughout their territorial units at NUTS ***2*** level, where they exceed the average exposure concentration objectives set out in Section 5, Point C, of Annex I.

Amendment 93

**Proposal for a directive
Article 13 – paragraph 6**

Text proposed by the Commission

6. The deadline for attaining the limit values laid down in Table 1 of Section 1 of Annex I may be postponed in accordance with Article 18.

Amendment

6. The deadline for attaining the limit values laid down in Table 1 of Section 1 of Annex I ***for the pollutants referred to in Article 18(1)*** may be postponed in accordance with Article 18.

Amendment 94

Proposal for a directive
Article 15 – paragraph 1

Text proposed by the Commission

1. The alert thresholds for concentrations of sulphur dioxide, nitrogen dioxide, **and** particulate matter (PM₁₀ and PM_{2.5}) in ambient air shall be those laid down in Section 4, Point A of Annex I.

Amendment

1. The alert thresholds for concentrations of sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) **and ozone** in ambient air shall be those laid down in Section 4, Point A of Annex I.

Amendment 95

Proposal for a directive
Article 15 – paragraph 2

Text proposed by the Commission

2. The **alert threshold and** information **threshold for** ozone shall be that laid down in Section 4, Point B, of Annex I.

Amendment

2. The information **thresholds for concentrations of sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and** ozone shall be that laid down in Section 4, Point B, of Annex I.

Amendment 96

Proposal for a directive
Article 15 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where any alert threshold laid down in Section 4, Point A, of Annex I is exceeded, Member States shall implement without undue delay the emergency measures indicated in the short-term action plans drawn up under Article 20.

Amendment 97

Proposal for a directive
Article 15 – paragraph 3

Text proposed by the Commission

3. Where any alert ***threshold or any information*** threshold laid down in Section 4 of Annex I is exceeded, Member States shall take the necessary steps to inform the public within a few hours at the latest, ***making*** use of different media and communication channels and ***ensuring*** broad public access .

Amendment

3. Where any alert threshold laid down in Section 4 of Annex I is exceeded, Member States shall take the necessary steps to inform the public within a few hours at the latest, ***in a coherent and easily understandable manner, providing detailed information about the severity of the exceedance and the associated health impacts, as well as suggestions for the protection of the population, with a special focus on sensitive population and vulnerable groups. Member States shall make*** use of different media and communication channels and ***ensure*** broad public access.

Amendment 98

Proposal for a directive Article 15 – paragraph 3 a (new)

Text proposed by the Commission

3. Where any alert ***threshold or any information*** threshold laid down in Section 4 of Annex I is exceeded, Member States shall take the necessary steps to inform the public within a few hours at the latest, ***making*** use of different media and communication channels and ***ensuring*** broad public access .

Amendment

3a. Where any information threshold laid down in Section 4 of Annex I is exceeded, Member States shall take the necessary steps to inform the public, and sensitive population and vulnerable groups in particular, within a few hours at the latest, in an accessible, coherent and easily understandable manner.

Amendment 99

Proposal for a directive Article 15 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that information about actual or predicted exceedances of any alert threshold or information threshold is provided to the

Amendment

4. Member States shall ensure that information about actual or predicted exceedances of any alert threshold or information threshold is provided to the

public as soon as possible in accordance with, points 2 and 3 of Annex IX.

public *in a coherent and easily understandable manner* as soon as possible in accordance with, points 2 and 3 of Annex IX.

Amendment 100

Proposal for a directive Article 16 – paragraph 1 – point b

Text proposed by the Commission

(b) NUTS *1* territorial units where exceedances of the level determined by the average exposure reduction obligations are attributable to natural sources.

Amendment

(b) NUTS *2* territorial units where exceedances of the level determined by the average exposure reduction obligations are attributable to natural sources.

Amendment 101

Proposal for a directive Article 16 – paragraph 2

Text proposed by the Commission

2. Member States shall provide the Commission with lists of any such zones and NUTS *1* territorial units, as referred to in paragraph 1, together with information on concentrations and sources *and* the evidence demonstrating that the exceedances are attributable to natural sources.

Amendment

2. Member States shall provide the Commission with lists of any such zones and NUTS *2* territorial units, as referred to in paragraph 1, together with:

(a) information on concentrations and sources;

(b) the evidence demonstrating that the exceedances are attributable to natural sources *and could not have been anticipated, prevented or mitigated by the Member State concerned, including, where appropriate, the evidence demonstrating the impact of ecosystem perturbations driven by climate change resulting in such exceedances;*

(c) *information on the implementation of relevant measures under the national*

Justification

Amendment necessary for pressing reasons relating to the internal logic of the text.

Amendment 102

**Proposal for a directive
Article 16 – paragraph 3**

Text proposed by the Commission

3. Where the Commission has been informed of an exceedance attributable to natural sources in accordance with paragraph 2, that exceedance **shall** not be considered as an exceedance for the purposes of this Directive.

Amendment

3. Where the Commission has been informed of an exceedance attributable to natural sources in accordance with paragraph 2, **it shall review the evidence and inform the Member State whether** that exceedance **may** not be considered as an exceedance for the purposes of this Directive.

Justification

Amendment necessary to ensure the consistency of the Article and given the amount of new evidence that a Member State needs to provide in order to discount the exceedance for the compliance purposes, it should be made clear that the Commission will review the evidence and inform the Member State accordingly.

Amendment 103

**Proposal for a directive
Article 17 – paragraph 1**

Text proposed by the Commission

1. Member States may, for a given **year**, identify zones within which limit values for PM₁₀ are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or winter -salting of roads.

Amendment

1. Member States may, for a given **month**, identify zones within which limit values for PM₁₀ are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or winter -salting of roads.

Amendment 104

Proposal for a directive Article 18 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where, in a given zone, conformity with the limit values for particulate matter (PM₁₀ and PM_{2.5}) or nitrogen dioxide cannot be achieved by the deadline specified in Table 1 of Section 1 of Annex I, because of site-specific dispersion characteristics, orographic boundary conditions, ***adverse climatic conditions*** or transboundary contributions, a Member State may postpone - that deadline once by a maximum of 5 years for that particular zone, if the following conditions are met:

Amendment

1. Where, in a given zone, conformity with the limit values for particulate matter (PM₁₀ and PM_{2.5}) or nitrogen dioxide cannot be achieved by the deadline specified in Table 1 of Section 1 of Annex I, because of ***exceptional and unpreventable*** site-specific dispersion characteristics, orographic boundary conditions or transboundary contributions, a Member State may postpone - that deadline once by a maximum of 5 years for that particular zone, if the following conditions are met:

Amendment 105

Proposal for a directive Article 18 – paragraph 1 – point -a (new)

Text proposed by the Commission

Amendment

(-a) the levels of pollutants in ambient air in the relevant zone are below the limit values specified in Section 1, Table 2, of Annex I;

Justification

Amendment for consistency with the amendment to Annex I, Section 5, Point B.

Amendment 106

Proposal for a directive Article 18 – paragraph 1 – point a

Text proposed by the Commission

(a) an air quality ***plan*** is established in accordance with Article ***19(4)*** and meeting

Amendment

(a) an air quality ***roadmap*** is established in accordance with Article ***19(-***

the requirements listed in Article 19(5) to (7) for the zone to which the postponement would apply;

1) and meeting the requirements listed in Article 19(5) to (7) for the zone to which the postponement would apply;

Justification

Amendment for consistency with a change of order made by another amendment to Article 19, whereby paragraph 4 is moved to the beginning of the Article, and with the introduction of the term “air quality roadmap”.

Amendment 107

**Proposal for a directive
Article 18 – paragraph 1 – point b**

Text proposed by the Commission

(b) the air quality **plan** referred in point (a) is supplemented by the information listed in Point B of Annex VIII related to the pollutants concerned and demonstrates how exceedance periods above the limit values will be kept as short as possible ;

Amendment

(b) the air quality **roadmap** referred in point (a) is supplemented by the information listed in Point B of Annex VIII related to the pollutants concerned **as well as annual projections on the evolution of emissions and concentrations in the zone concerned until the attainment date** and demonstrates **how the limit values will be attained by the end of the postponed deadline for compliance and** how exceedance periods above the limit values will be kept as short as possible;

Justification

Amendment for consistency, linked to the introduction of the term “air quality roadmap”.

Amendment 108

**Proposal for a directive
Article 18 – paragraph 1 – point c**

Text proposed by the Commission

(c) the air quality **plan** referred to in point (a) outlines how the public and, in particular, sensitive population and vulnerable groups will be informed about

Amendment

(c) the air quality **roadmap** referred to in point (a) outlines how the public and, in particular, sensitive population and vulnerable groups will be informed **in a**

the consequences of the postponement for human health and the environment;

coherent and easily understandable manner about the consequences of the postponement for human health and the environment;

Amendment 109

Proposal for a directive Article 18 – paragraph 1 – point d

Text proposed by the Commission

(d) the air quality ***plan*** referred to in point (a) outlines how additional funding, including via relevant national and Union funding programmes, will be mobilised to accelerate the improvement of air quality in the zone to which the postponement would apply;

Amendment

(d) the air quality ***roadmap*** referred to in point (a) outlines how additional funding, including via relevant national and Union funding programmes, ***where such funding is foreseen***, will be mobilised to accelerate the improvement of air quality in the zone to which the postponement would apply;

Amendment 110

Proposal for a directive Article 18 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States shall notify the Commission where, in their view, paragraph 1 is applicable, and shall communicate the air quality ***plan*** referred to in paragraph 1 and all relevant information necessary for the Commission to assess whether the invoked reason for postponement and the conditions set out in that paragraph are satisfied. In its assessment, the Commission shall take into account estimated effects on ambient air quality in Member States, at present and in the future, of measures that have been taken by Member States as well as estimated effects on ambient air quality of Union measures .

Amendment

Member States shall notify the Commission where, in their view, paragraph 1 is applicable, and shall communicate the air quality ***roadmap*** referred to in paragraph 1 and all relevant information necessary for the Commission to assess whether the invoked reason for postponement and the conditions set out in that paragraph are satisfied. In its assessment, the Commission shall take into account estimated effects on ambient air quality in Member States, at present and in the future, of measures that have been taken by Member States as well as estimated effects on ambient air quality of Union measures . ***Where annual projections provided in accordance with paragraph 1, point (b), demonstrate that***

the measures set out in the air quality roadmap are insufficient to achieve likely compliance with the limit value of the pollutant concerned by the postponed attainment deadline, Member States shall update the air quality roadmap and revise the measures therein in order to ensure compliance by that deadline.

Justification

Amendment for consistency, linked to the introduction of the term “air quality roadmap”.

Amendment 111

**Proposal for a directive
Article 19 – title**

Text proposed by the Commission

Amendment

Air quality plans

Air quality plans **and air quality roadmaps**

Justification

Amended to be coherent with changes in Article 19, paragraph 4.

Amendment 112

**Proposal for a directive
Article 19 – paragraph -1 (new)**

Text proposed by the Commission

Amendment

-1. Where from ... [three months after the date of entry into force of this Directive], in a zone or NUTS 2 territorial unit, the levels of any pollutant recorded for the preceding calendar year are above any limit or target value to be attained by 1 January 2030 as laid down in Section 1, Table 1, of Annex I and Section 2, Point B, of Annex I, the Member State concerned shall establish an air quality roadmap for that pollutant as soon as possible and no later than 2 years after

the calendar year during which the exceedance of the pollutant was recorded in order to attain the respective limit values or ozone target value by the expiration of the attainment deadline.

Where, for the same pollutant as referred to in the first subparagraph of this paragraph, a Member State is required to establish an air quality roadmap in accordance with that subparagraph as well as an air quality plan in accordance with paragraph 1 of this Article, it may establish a combined air quality roadmap in accordance with paragraphs 5, 6 and 7 of this Article and provide information on the expected impact of measures to reach compliance for each limit value it addresses, as required by Point A, points 5 and 6, of Annex VIII. Any such combined air quality roadmap shall set out appropriate measures to achieve all related limit values and to keep all exceedance periods as short as possible.

Justification

Amendment for internal logic of the text. Paragraph 4 has been moved here because it comes first time-wise.

Amendment 113

Proposal for a directive Article 19 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Where, in given zones the levels of pollutants in ambient air exceed any limit value, laid down in Section 1 of Annex I, Member States shall establish air quality plans for those zones as soon as possible and no later than 2 years after the calendar year during which that exceedance of any limit value was recorded. Those air quality plans shall set out appropriate measures to achieve the concerned limit value and to

Amendment

Where, in given zones the levels of pollutants in ambient air exceed any limit value, laid down in Section 1 of Annex I, Member States shall establish air quality plans for those zones as soon as possible and no later than 2 years after the calendar year during which that exceedance of any limit value was recorded. Those air quality plans shall set out **all** appropriate **and sufficient** measures to achieve the

keep the exceedance period as short as possible, and in any case no longer than 3 years from the end of the calendar year in which the first exceedance was **reported**.

concerned limit value and to keep the exceedance period as short as possible, and in any case no longer than 3 years from the end of the calendar year in which the first exceedance was **recorded**.

Amendment 114

Proposal for a directive Article 19 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Where exceedances of any limit values persist during the third calendar year after the **establishment** of the **air quality plan**, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

Amendment

Where exceedances of any limit values persist during the third calendar year after the **end** of the **calendar year in which the first exceedance was recorded**, Member States shall update the air quality plan and the measures therein, **including updated detailed information concerning the status of implementation of the Directives referred to in Point B, point 1, of Annex VIII** and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible **and in any case no longer than 1 calendar year after the update of the air quality plan**.

Amendment 115

Proposal for a directive Article 19 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Where in a given NUTS **1** territorial unit, the levels of pollutants in ambient air exceed the ozone target value, laid down in Section 2 of Annex I, Member States shall establish air quality plans for those NUTS **1** territorial units as soon as possible and no later than 2 years after the calendar year during which the exceedance of the ozone target value was recorded. Those air quality plans shall set out appropriate

Amendment

Where in a given NUTS **2** territorial unit, the levels of pollutants in ambient air exceed the ozone target value, laid down in Section 2 of Annex I, Member States shall establish air quality plans for those NUTS **2** territorial units as soon as possible and no later than 2 years after the calendar year during which the exceedance of the ozone target value was recorded. Those air quality plans shall set out appropriate **and**

measures in order to achieve the ozone target value and to keep the exceedance period as short as possible.

sufficient measures in order to achieve the ozone target value and to keep the exceedance period as short as possible, **and in any case no longer than 3 years from the end of the calendar year in which the first exceedance was recorded.**

Amendment 116

Proposal for a directive Article 19 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Where exceedances of the ozone target value persist during the **fifth** calendar year after the **establishment** of the **air quality plan** in the relevant NUTS **1** territorial unit, Member States shall update air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

Amendment

Where exceedances of the ozone target value persist during the **third** calendar year after the **end** of the **calendar year in which the first exceedance was recorded** in the relevant NUTS **2** territorial unit, Member States shall update **the** air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible, **and in any case no longer than 2 calendar years after the update of the air quality plan.**

Amendment 117

Proposal for a directive Article 19 – paragraph 2 – subparagraph 3

Text proposed by the Commission

For NUTS **1** territorial units where the ozone target value is exceeded, Member States shall ensure that the relevant national air pollution control programme prepared pursuant to Article 6 of Directive (EU) 2016/2284 includes measures addressing those exceedances.

Amendment

For NUTS **2** territorial units where the ozone target value is exceeded, Member States shall ensure that the relevant national air pollution control programme prepared pursuant to Article 6 of Directive (EU) 2016/2284 includes measures addressing those exceedances.

Amendment 118

Proposal for a directive
Article 19 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Where in a given NUTS **1** territorial unit, the average exposure reduction obligation laid down in Section 5 of Annex I is exceeded, Member States shall establish air quality plans for those NUTS **1** territorial units as soon as possible and no later than 2 years after the calendar year during which the exceedance of the average exposure reduction obligation was recorded. Those air quality plans shall set out appropriate measures to achieve the average exposure reduction obligation and to keep the exceedance period as short as possible.

Amendment

Where in a given NUTS **2** territorial unit, the average exposure reduction obligation laid down in Section 5 of Annex I is exceeded, Member States shall establish air quality plans for those NUTS **2** territorial units as soon as possible and no later than 2 years after the calendar year during which the exceedance of the average exposure reduction obligation was recorded. Those air quality plans shall set out appropriate **and sufficient** measures to achieve the average exposure reduction obligation and to keep the exceedance period as short as possible **and in any case no longer than 3 years from the end of the calendar year in which the first exceedance was recorded.**

Amendment 119

Proposal for a directive
Article 19 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Where exceedances of the average exposure reduction obligation persist during the **fifth** calendar year after the **establishment** of the **air quality plan**, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

Amendment

Where exceedances of the average exposure reduction obligation persist during the **third** calendar year after the **end** of the **calendar year in which the first exceedance was recorded**, Member States shall update the air quality plan and the measures therein, **including updated detailed information concerning the status of implementation of the Directives referred to in Point B, point 1, of Annex VIII** and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible, **and in any case no longer than 1 calendar year after the update of the air quality plan.**

Amendment 120

Proposal for a directive Article 19 – paragraph 4

Text proposed by the Commission

Amendment

4. Where from [insert year 2 years after entry into force of this Directive], until 31 December 2029 in a zone or NUTS 1 territorial unit, the levels of pollutants are above any limit value to be attained by 1 January 2030 as laid down in Table 1 of Section 1 of Annex I, Member States shall establish an air quality plan for the concerned pollutant as soon as possible and no later than 2 years after the calendar year during which the exceedance of the was recorded to attain the respective limit values or ozone target value by the expiration of the attainment deadline.

deleted

Where, for the same pollutant, Member States are required to establish an air quality plan in accordance with this paragraph as well as an air quality plan in accordance with Article 19(1), they may establish a combined air quality plan in accordance with Article 19(5), (6) and (7) and provide information on the expected impact of measures to reach compliance for each limit value it addresses, as required by in Annex VIII, points 5 and 6. Any such combined air quality plan shall set out appropriate measures to achieve all related limit values and to keep all exceedance periods as short as possible.

Amendment 121

Proposal for a directive Article 19 – paragraph 5 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Air quality plans shall contain at least the following information:

Air quality plans **and air quality roadmaps** shall contain at least the following

information:

Amendment 122

Proposal for a directive

Article 19 – paragraph 5 – subparagraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the information referred to in Point B, point 1, of Annex VIII, and in particular measures included in the National Air Pollution Control Programme (NAPCP);

Amendment 123

Proposal for a directive

Article 19 – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) **where appropriate**, information on abatement measures listed in Point B, Point 2 of Annex VIII.

(c) information on abatement measures listed in Point B, Point 2 of Annex VIII.

Amendment 124

Proposal for a directive

Article 19 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall **consider including** measures referred to in Article 20(2) and specific measures aiming at the protection of sensitive population and vulnerable groups, including children in their air quality plans .

Member States shall **include** measures referred to in Article 20(2) and specific measures aiming at the protection of sensitive population and vulnerable groups, including children in their air quality plans **and air quality roadmaps**.

Justification

Amendment for consistency, linked to the introduction of the term “air quality roadmap”.

Amendment 125

Proposal for a directive Article 19 – paragraph 5 – subparagraph 3

Text proposed by the Commission

Regarding the pollutants concerned, when preparing air quality plans, Member States shall assess the risk of exceeding the respective alert thresholds. That analysis shall be used for establishing short-term action plans where applicable.

Amendment

Regarding the pollutants concerned, when preparing air quality plans **or air quality roadmaps**, Member States shall assess the risk of exceeding the respective alert thresholds. That analysis shall be used for establishing short-term action plans where applicable.

Amendment 126

Proposal for a directive Article 19 – paragraph 5 – subparagraph 4

Text proposed by the Commission

Where air quality plans shall be established in respect of several pollutants or air quality standards, Member States shall, where appropriate, establish integrated air quality plans covering all pollutants and air quality standards concerned.

Amendment

Where air quality plans **or air quality roadmaps** shall be established in respect of several pollutants or air quality standards, Member States shall, where appropriate, establish integrated air quality plans **or air quality roadmaps** covering all pollutants and air quality standards concerned.

Justification

Amendment for consistency, linked to the introduction of the term “air quality roadmap”.

Amendment 127

Proposal for a directive Article 19 – paragraph 5 – subparagraph 5

Text proposed by the Commission

Member States shall, to the extent feasible, ensure consistency of their air quality plans with other plans that have a significant impact on air quality, including those

Amendment

Member States shall, to the extent feasible, ensure consistency of their air quality plans **and air quality roadmaps** with other plans that have a significant impact on air

required under Directive 2010/75/ EU of the European Parliament and of the Council⁵⁸, Directives (EU) 2016/2284 and 2002/49/EC and under climate, energy, transport and agriculture legislation .

quality, including those required under Directive 2010/75/ EU of the European Parliament and of the Council⁵⁸, Directives (EU) 2016/2284 and 2002/49/EC and under climate, **biodiversity protection**, energy, transport and agriculture legislation.

⁵⁸ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁵⁸ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

Justification

Amendment for consistency, linked to the introduction of the term “air quality roadmap”.

Amendment 128

Proposal for a directive Article 19 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The Commission may, at the request of a Member State, provide assistance and technical expertise in the framework of the Technical Support Instrument (TSI) in order to support air quality policies and measures in the Member State concerned.

Amendment 129

Proposal for a directive Article 19 – paragraph 6 – subparagraph -1 (new)

Text proposed by the Commission

Amendment

Member States shall ensure that before the time period for receiving comments from the public starts, the draft air quality plan or draft air quality roadmap

containing the minimum information required under Points A and B of Annex VIII is made available to the public on the internet, free of charge and without restricting access to registered users, and, where appropriate, through other non-digital communication channels. Member States may also make available to the public on the internet, free of charge and without restricting access to registered users, and, where appropriate, through other non-digital communication channels the following:

(a) information on the methods used to assess the estimated impact of the air quality plan or air quality roadmap pursuant to Point Ba of Annex VIII, and the background documents and information used for the development of the draft air quality plan or draft air quality roadmap;

(b) a non-technical summary of the information referred to in this subparagraph.

Amendment 130

Proposal for a directive Article 19 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall consult the public, in accordance with Directive 2003/35/EC of the European Parliament and of the Council⁵⁹, and the competent authorities, which, by reason of their responsibilities in the field of air pollution and air quality, are likely to be concerned by the implementation of the air quality plans, on draft air quality plans and any significant updates of air quality plans prior to their finalisation.

Amendment

Member States shall consult the public, in accordance with Directive 2003/35/EC of the European Parliament and of the Council⁵⁹, and the competent authorities, which, by reason of their responsibilities in the field of air pollution and air quality, are likely to be concerned by the implementation of the air quality plans **and air quality roadmaps**, on draft air quality plans **and draft air quality roadmaps** and any significant updates of air quality plans **and air quality roadmaps** prior to their finalisation.

⁵⁹ Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC (OJ L 156, 25.6.2003, p. 17).

⁵⁹ Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC (OJ L 156, 25.6.2003, p. 17).

Amendment 131

Proposal for a directive Article 19 – paragraph 6 – subparagraph 2

Text proposed by the Commission

When preparing air quality plans, Member States shall ensure that stakeholders whose activities contribute to the exceedance situation are encouraged to propose measures they are able to take to help end the exceedances and that non-governmental organisations, such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population and vulnerable groups, other relevant health-care bodies and the relevant industrial federations are **allowed** to take part in those consultations.

Amendment

Member States shall encourage the active involvement of all interested parties in the implementation of this Directive, in particular in the preparation, review and update of air quality plans and air quality roadmaps. When preparing air quality plans ***and air quality roadmaps***, Member States shall ensure that stakeholders whose activities contribute to the exceedance situation are encouraged to propose measures they are able to take to help end the exceedances and that non-governmental organisations, such as environmental ***and health*** organisations, consumer organisations, organisations representing the interests of sensitive population and vulnerable groups, other relevant health-care bodies, ***including healthcare professionals*** and the relevant industrial federations are ***encouraged*** to take part in those consultations. ***Member States shall make sure that relevant stakeholders and citizens are duly informed about the specific sources and air pollutants affecting air quality and the relevant air pollution mitigation measures that exist and are available on the market.***

Amendment 132

Proposal for a directive
Article 19 – paragraph 7

Text proposed by the Commission

7. Air quality plans shall be communicated to the Commission within 2 months after their adoption .

Amendment

7. Air quality plans **and air quality roadmaps** shall be communicated to the Commission within 2 months after their adoption .

Justification

Amendment for consistency, linked to the introduction of the term “air quality roadmap”.

Amendment 133

Proposal for a directive
Article 19 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. The Commission shall establish, by means of implementing acts, a template with the format and structure of the air quality plans and air quality roadmaps. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 26(2).

Amendment 134

Proposal for a directive
Article 19 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

7b. The Commission may establish guidance on the elaboration, implementation and revision of air quality plans and, where appropriate, air quality roadmaps.

Amendment 135

Proposal for a directive
Article 19 – paragraph 7 c (new)

Text proposed by the Commission

Amendment

7c. The Commission shall facilitate the elaboration and implementation of the air quality plans and air quality roadmaps, where appropriate, through an exchange of good practices.

Amendment 136

Proposal for a directive
Article 20 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

However, where there is a risk that the alert threshold for ozone Member States may refrain from drawing up such short-term action plans when there is no significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance.

However, where there is a risk that the alert threshold for ozone **will be exceeded**, Member States may refrain from drawing up such short-term action plans when there is no significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance.

Justification

Amendment consistent with changes to Annex IX.

Amendment 137

Proposal for a directive
Article 20 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

In order to inform citizens about poor air quality and its effects, competent authorities shall require the permanent display of easily understandable information on symptoms associated with air pollution peaks and on behaviour to

reduce exposure to air pollution in the vicinity of communities of sensitive population and vulnerable groups.

Amendment 138

Proposal for a directive Article 20 – paragraph 2

Text proposed by the Commission

2. When drawing up the short-term action plans referred to in paragraph 1 Member States may, depending on the individual case, provide for effective measures to control and, where necessary, temporarily suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. Depending on the share of the main pollution sources to the exceedances to be addressed, *those short-term action plans* shall consider including measures in relation to transport, construction works, industrial installations and the use of products and domestic heating. Specific actions aiming at the protection of sensitive population and vulnerable groups, including children, shall also be considered in the framework of those plans.

Amendment

2. When drawing up the short-term action plans referred to in paragraph 1 Member States may, depending on the individual case, provide for effective measures to control and, where necessary, temporarily suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. ***Member States shall also take into consideration the list of measures set out in Annex VIIIa for their short-term action plans, and*** depending on the share of the main pollution sources to the exceedances to be addressed, shall ***at least*** consider including measures in relation to transport, construction works, industrial installations and the use of products and domestic heating. Specific actions aiming at the protection of sensitive population and vulnerable groups, including children shall also be considered in the framework of those plans.

Amendment 139

Proposal for a directive Article 20 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States may request the Commission to provide technical assistance and support in drawing up the short-term action plans.

Amendment 140

Proposal for a directive Article 20 – paragraph 4

Text proposed by the Commission

4. When Member States have drawn up a short-term action plan, they shall make available to the public and to appropriate organisations such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population and vulnerable groups, other relevant health-care bodies and the relevant industrial federations both the results of their investigations on the feasibility and the content of specific short-term action plans as well as information on the implementation of these plans.

Amendment

4. When Member States have drawn up a short-term action plan, they shall make available to the public and to appropriate organisations such as environmental **and health** organisations consumer organisations, organisations representing the interests of sensitive population and vulnerable groups, **healthcare professionals**, other relevant health-care bodies and the relevant industrial federations both the results of their investigations on the feasibility and the content of specific short-term action plans as well as information on the implementation of these plans.

Justification

These changes are linked to Article 27, which provides for access to justice for the members of the public, including non-governmental organisations. The proposed changes ensure consistency with recitals 39 and 40, and are inherently linked to Article 27.

Amendment 141

Proposal for a directive Article 20 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall use modelling and forecasting to identify the risk that the levels of pollutants will exceed one or more of the alert thresholds and shall ensure that emergency measures enter into force soon after a risk of exceedance is forecasted in order to prevent such exceedance.

Justification

Amendment needed for the internal logic of the text.

Amendment 142

**Proposal for a directive
Article 20 – paragraph 5 a (new)**

Text proposed by the Commission

Amendment

5a. The Commission may establish guidelines setting out best practices for drawing up short-term action plans, including examples of best practices for the protection of sensitive population and vulnerable groups, including children. Those examples shall be updated regularly. The Commission shall promote the exchange of best practices among Member States through the EU Clean Air Forum.

Amendment 143

**Proposal for a directive
Article 21 – paragraph 1 – subparagraph 2**

Text proposed by the Commission

Amendment

The Member States concerned shall cooperate to identify the sources of air pollution and the measures to be taken to address those sources, and draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 19, in order to remove such exceedances .

The Member States concerned shall cooperate **at national, regional and local level, including by establishing joint teams of experts**, to identify the sources of air pollution and the **shares of pollution originating from each country and the measures to be taken individually and jointly** to address those sources, and draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 19, in order to remove such exceedances.

Amendment 144

Proposal for a directive
Article 21 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The Member States concerned shall inform the Commission without undue delay of the situation and measures taken.

Amendment 145

Proposal for a directive
Article 21 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

Member States shall respond to each other in a timely manner, and no later than **3** months after being notified by another Member State in accordance with the first subparagraph.

Member States shall respond to each other in a timely manner, and no later than **2** months after being notified by another Member State in accordance with the first subparagraph.

Amendment 146

Proposal for a directive
Article 21 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be informed of, and invited to be present ***and to*** assist ***in*** any cooperation referred to in paragraph 1 of this Article . Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 11 of Directive (EU) 2016/2284 , consider whether further action shall be taken at Union level in order to reduce precursor emissions responsible for transboundary pollution.

2. The Commission shall be informed of, and invited to be present, assist ***and oversee*** any cooperation referred to in paragraph 1 of this Article. ***The Commission may also, in cooperation with the Member States concerned, draw up working plans for the implementation of proposed measures.*** Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 11 of Directive (EU) 2016/2284, consider whether further action shall be taken at Union level in order to reduce precursor emissions responsible for transboundary pollution.

Justification

Amendment needed for the internal logic of the text.

Amendment 147

**Proposal for a directive
Article 21 – paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3a. Where a Member State takes legal action for a violation of the national provisions adopted pursuant to this Directive, as referred to in Article 29, that have caused air pollution in another Member State, Member States shall cooperate in an efficient manner.

Amendment 148

**Proposal for a directive
Article 22 – paragraph 1 – introductory part**

Text proposed by the Commission

Amendment

1. Member States shall ensure that the public as well as appropriate organisations such as environmental organisations, consumer organisations, organisations representing the interests of sensitive populations and vulnerable groups, other relevant health-care bodies and the relevant industrial federations are informed, adequately and in good time, of the following:

1. Member States shall ensure that the public as well as appropriate organisations such as environmental **and health** organisations, consumer organisations, organisations representing the interests of sensitive populations and vulnerable groups, **healthcare professionals and** other relevant health-care bodies and the relevant industrial federations are informed, adequately and in good time, of the following:

Justification

These changes are linked to Article 27, which provides for access to justice for the members of the public, including non-governmental organisations. The proposed changes ensure consistency with recitals 39 and 40, and are inherently linked to Article 27.

Amendment 149

Proposal for a directive Article 22 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) air quality in accordance with Annex **points 1 and 3 of IX**;

(a) air quality in accordance with Annex IX;

Justification

Technical correction, needed to ensure the internal coherence of the text.

Amendment 150

Proposal for a directive Article 22 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) any observed lack of data from sampling points, in particular in relation to the data referred to in point 1, points (a) and (b), of Annex IX;

Justification

Amendment needed for the internal logic of the text (Annex IX).

Amendment 151

Proposal for a directive Article 22 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) air quality plans as provided for in Article 19;

(c) air quality plans **and air quality roadmaps** as provided for in Article 19;

Justification

Amendment for consistency, linked to the introduction of the term “air quality roadmap”.

Amendment 152

Proposal for a directive Article 22 – paragraph 1 – point d

Text proposed by the Commission

(d) short-term action plans ***as provided for in*** Article 20;

Amendment

(d) short-term action plans ***drawn up in accordance with*** Article 20;

Amendment 153

Proposal for a directive Article 22 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) overview of air pollution sources and air pollutants affecting air quality in a Member State concerned;

Amendment 154

Proposal for a directive Article 22 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) documentation submitted to the Commission in relation to exceedances caused by natural sources referred to in Article 16(2);

Amendment 155

Proposal for a directive Article 22 – paragraph 1 – point d c (new)

Text proposed by the Commission

Amendment

(dc) documentation on site selection referred to in point D of Annex IV;

Amendment 156

Proposal for a directive Article 22 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) the effects of exceedances of limit values, ozone target values, average exposure reduction obligations, information thresholds and alert thresholds in a summary assessment ; the summary assessment shall include, where appropriate, further information and assessments on forest protection as well as information on pollutants covered by Article 10 and Annex VII.

(e) the effects of exceedances of limit values, ozone target values, average exposure reduction obligations **and average exposure concentration objectives**, information thresholds and alert thresholds in a summary assessment ; the summary assessment shall include, where appropriate, further information and assessments on forest protection as well as information on pollutants covered by Article 10 and Annex VII.

Amendment 157

Proposal for a directive Article 22 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, and make it available through a public source providing an hourly update. The air quality index shall **consider the** recommendations by the WHO and **build** on the air quality indices at European scale provided by the European Environmental Agency.

2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, and make it available **in a coherent and easily understandable manner** through a public source providing an hourly update, **ensuring that sufficient real-time data is available in all stations**. The air quality index shall **be comparable across all Member States and follow the most up-to-date** recommendations by the WHO and **be based** on the air quality indices at European scale provided by the European

Environmental Agency. *The air quality index shall be accompanied by information about the associated health risks for each pollutant, including information tailored to sensitive population and vulnerable groups.*

Amendment 158

Proposal for a directive Article 22 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By ... [12 months after the date of entry into force of this Directive], the Commission shall adopt delegated acts in accordance with Article 25 to supplement this Directive by specifying how the air quality index shall be calculated and presented, and the format and structure of the information provided to the public.

Amendment 159

Proposal for a directive Article 22 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Member States shall promote the display of information on symptoms associated with air pollution peaks and on air pollution exposure reduction and protection behaviours, in buildings frequented by sensitive population and vulnerable groups, such as healthcare facilities.

Amendment 160

Proposal for a directive Article 22 – paragraph 3

Text proposed by the Commission

3. Member States shall inform the public of the competent authority or body designated in relation to the tasks referred to in Article 5.

Amendment

3. Member States shall inform the public of the competent authority or body designated in relation to the tasks referred to in Article 5 **and of the competent authority or body operating the sampling points established pursuant to Article 9 and Annex IV.**

Justification

Amendment for consistency, linked to the provision on access to justice (Article 27) and compensation for damage to human health (Article 28).

Amendment 161

**Proposal for a directive
Article 22 – paragraph 4**

Text proposed by the Commission

4. The information referred to in this Article shall be made available to the public free of charge by means of easily accessible media and communication channels in accordance with Directive 2007/2/EC⁶⁰ and Directive (EU)2019/1024⁶¹ of the European Parliament and of the Council .

Amendment

4. The information referred to in this Article shall be made available to the public free of charge by means of easily accessible media and communication channels in **a coherent and easily understandable manner in** accordance with Directive 2007/2/EC⁶⁰ and Directive (EU)2019/1024⁶¹ of the European Parliament and of the Council **while ensuring broad public access.**

⁶⁰ Directive 2007/2/EC of the European Parliament and the Council of 14 March 2007 establishing an infrastructure for spatial information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

⁶¹ Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172,

⁶⁰ Directive 2007/2/EC of the European Parliament and the Council of 14 March 2007 establishing an infrastructure for spatial information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

⁶¹ Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172,

Amendment 162

Proposal for a directive

Article 23 – paragraph 2 – introductory part

Text proposed by the Commission

2. For the specific purpose of assessing compliance with the limit values, ozone target values, average exposure reduction obligations and critical levels , the information referred to in paragraph 1 shall be made available to the Commission no later than 4 months after the end of each calendar year and shall include:

Amendment

2. For the specific purpose of assessing compliance with the limit values, ozone target values, average exposure reduction obligations, ***average exposure concentration objectives***, and critical levels , the information referred to in paragraph 1 shall be made available to the Commission no later than 4 months after the end of each calendar year and shall include:

Amendment 163

Proposal for a directive

Article 23 – paragraph 2 – point a

Text proposed by the Commission

(a) the changes made in that year to the list and delimitation of zones established under Article 6 or any NUTS ***1*** territorial unit ;

Amendment

(a) the changes made in that year to the list and delimitation of zones established under Article 6 or any NUTS ***2*** territorial unit ;

Amendment 164

Proposal for a directive

Article 23 – paragraph 2 – point b – introductory part

Text proposed by the Commission

(b) the list of zones and NUTS ***1*** territorial units and the levels of pollutants assessed. For zones in which the levels of one or more pollutants are higher than the limit values or critical levels , as well as for NUTS ***1*** territorial units where the levels of

Amendment

(b) the list of zones and NUTS ***2*** territorial units and the levels of pollutants assessed. For zones in which the levels of one or more pollutants are higher than the limit values or critical levels, as well as for NUTS ***2*** territorial units where the levels of

one or more pollutants are higher than the target values *or* average exposure reduction obligations: :

one or more pollutants are higher than the target values, average exposure reduction obligations *or average exposure concentration objectives*:

Amendment 165

Proposal for a directive Article 25 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 24 shall be conferred on the Commission for *an indeterminate* period of *time from ...* [date of entry into force of this Directive].

Amendment

2. The power to adopt delegated acts referred to in Article **22(2a)**, **Article 24 and Article 29(3a)** shall be conferred on the Commission for *a* period of **five years from ...** [date of entry into force of this Directive]. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Amendment 166

Proposal for a directive Article 25 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 24 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Article **22(2a)**, **Article 24 and Article 29(3a)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts

already in force.

Amendment 167

Proposal for a directive

Article 25 – paragraph 5 – subparagraph 2

Text proposed by the Commission

A delegated act adopted pursuant to Article 24 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

Amendment

A delegated act adopted pursuant to Article **22(2a), Article 24 and Article 29(3a)** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

Amendment 168

Proposal for a directive

Article 27 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall ensure that, in accordance with their national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law, to challenge the substantive or procedural legality of all decisions, acts or omissions concerning air quality plans referred to in Article 19, and short term action plans referred to in Article 20, **of the Member State**, provided that any of the following conditions is met:

Amendment

Member States shall ensure that, in accordance with their national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law, to challenge the substantive or procedural legality of all decisions, acts or omissions **by Member States including, but not limited to, those concerning the classification of zones under Article 7, the network design, location and relocation of sampling points under Article 9, air quality plans and air quality roadmaps** referred to in Article 19 and short term

action plans referred to in Article 20, provided that any of the following conditions is met:

Amendment 169

Proposal for a directive Article 27 – paragraph 1 – subparagraph 3

Text proposed by the Commission

The interest of any non-governmental organisation which *is a member* of the public concerned shall be deemed sufficient for the purposes of the first paragraph, point (a). Such organisations shall also be deemed to have rights capable of being impaired for the purposes of the first paragraph, point (b).

Amendment

The interest *of any natural person affected or likely to be affected by exceedances of air quality standards, or having an interest in the decision-making procedures related to the implementation of the obligations under this Directive, and* of any non-governmental organisation, which *are both members* of the public concerned shall be deemed sufficient for the purposes of the first paragraph, point (a). Such *natural persons and* organisations shall also be deemed to have rights capable of being impaired for the purposes of the first paragraph, point (b).

Amendment 170

Proposal for a directive Article 27 – paragraph 2

Text proposed by the Commission

2. To have standing to participate in the review procedure shall not be conditional on the role that the member of the public concerned played during a participatory phase of the decision-making procedures *related to Article 19 or 20*.

Amendment

2. To have standing to participate in the review procedure shall not be conditional on the role that the member of the public concerned played during a participatory phase of the decision-making procedures *under this Directive*.

Amendment 171

Proposal for a directive Article 28 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that natural persons who suffer damage to human health caused by a violation of Articles 19(1) to 19(4), 20(1) and 20(2), 21(1) second **sub-paragraph** and 21(3) of this Directive by the competent authorities are entitled to compensation in accordance with this article.

Amendment

1. Member States shall ensure that natural persons who suffer damage to human health caused by a violation of **this Directive, including, but not limited to, Article 13**, Articles 19(1) to 19(4), 20(1) and 20(2), **Article 21(1) second subparagraph**, and **Article 21(3)** of this Directive by **an omission, decision, act or delay of a decision or act** of the competent authorities are entitled to compensation in accordance with this article.

Amendment 172

**Proposal for a directive
Article 28 – paragraph 2**

Text proposed by the Commission

2. Member States shall ensure that non-governmental organisations promoting the protection of human health or the environment **and meeting any requirements under national law** are allowed to represent natural persons referred to in paragraph 1 and bring collective actions for compensation. The requirements set out in Article 10 and Article 12(1) of Directive (EU) 2020/1828 shall mutatis mutandis apply to such collective actions.

Amendment

2. Member States shall ensure that non-governmental organisations promoting the protection of human health or the environment are allowed to represent natural persons referred to in paragraph 1 and bring collective actions for compensation. The requirements set out in Article 10 and Article 12(1) of Directive (EU) 2020/1828 shall mutatis mutandis apply to such collective actions.

Amendment 173

**Proposal for a directive
Article 28 – paragraph 4 – subparagraph 1**

Text proposed by the Commission

Where a claim for compensation is supported by evidence **showing** that the violation referred to in paragraph 1 **is the most plausible explanation** for the

Amendment

Where a claim for compensation is supported by evidence, **including relevant scientific data, from which it may be presumed** that the violation referred to in

occurrence of the damage of that person, the causal link between the violation and the occurrence of the damage shall be presumed.

paragraph 1 *has caused or contributed to* the occurrence of the damage of that person, the causal link between the violation and the occurrence of the damage shall be presumed.

Amendment 174

Proposal for a directive

Article 28 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that where the claimant has provided reasonably available evidence to support a claim for compensation in accordance with paragraph 1, and has reasonably substantiated that additional evidence lies in the control of the respondent public authority or a third party, if requested by the claimant, the court or administrative authority is able to order that such evidence be disclosed by the respondent public authority or third party in accordance with national procedural law and subject to the applicable Union and national rules on confidentiality and proportionality.

Amendment 175

Proposal for a directive

Article 28 – paragraph 4 – subparagraph 2 b (new)

Text proposed by the Commission

Amendment

The violation of this Directive by the respondent public authority shall be presumed where the respondent public authority has failed to comply with an obligation to disclose relevant requested evidence at its disposal pursuant to this paragraph.

Amendment 176

Proposal for a directive Article 28 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. For the purpose of this Article, ‘relevant scientific data’ means statistical, epidemiological and other data demonstrating a statistically robust causal relationship between certain types of pollution and certain health conditions.

Amendment 177

Proposal for a directive Article 28 – paragraph 6

Text proposed by the Commission

Amendment

6. Member States shall ensure that the limitation periods for bringing actions for compensation as referred to in paragraph 1 are not less than **5** years. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows, or can reasonably be expected to know, that he or she suffered damage from a violation as referred to in paragraph 1.

6. Member States shall ensure that the limitation periods for bringing actions for compensation as referred to in paragraph 1 are not less than **10** years. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows, or can reasonably be expected to know, that he or she suffered damage from a violation as referred to in paragraph 1.

Amendment 178

Proposal for a directive Article 29 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the real or estimated economic benefits derived from the violation;

Amendment 179

Proposal for a directive
Article 29 – paragraph 3 – point c

Text proposed by the Commission

(c) the population, including sensitive population and vulnerable groups, or the environment affected by the violation, taking into account the objective of achieving a high level of protection of human health and the environment;

Amendment

(c) the population, including sensitive population and vulnerable groups, or the environment affected by the violation, **and the harm caused**, taking into account the objective of achieving a high level of protection of human health and the environment;

Amendment 180

Proposal for a directive
Article 29 – paragraph 3 – point d

Text proposed by the Commission

(d) the repetitive or singular character of the violation.

Amendment

(d) the repetitive or singular character of the violation, **including any previous receipt of an admonition penalty, or administrative or criminal sanction.**

Amendment 181

Proposal for a directive
Article 29 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. By ... [6 months after the date of entry into force of this Directive], the Commission shall adopt delegated acts in accordance with Article 25 to supplement this Directive by laying down common criteria for determining the amount of penalties referred to in paragraph 1 of this Article.

Amendment 182

Proposal for a directive
Article 29 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. Member States shall ensure that revenues from penalties referred to in paragraph 1 of this Article are used, as a matter of priority, to finance measures related to the improvement of air quality. Member States shall make publicly available information on the use of these revenues. Without prejudice to Article 28, revenues raised from penalties shall not be used for the purpose of that Article.

Amendment 183

Proposal for a directive

Article 31 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 1, 2 and 3, Article 4, points (2), (13), (14), (16), (18), (19), (21), (22), points (24) to (30), points (36), (37), (38) and (39), Articles 5 to 12, Article 13(1), (2), (3), (6) and (7), Article 15, Article 16(1) and (2), Articles 17 **to 21**, Article 22(1), (2) and (4), Articles 23 to 29 and Annexes I to IX by [insert date : **two years** after entry into force] at the latest .

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 1, 2 and 3, Article 4, points (2), (13), (14), (16), (18), (19), (21), (22), points (24) to (30), points (36), (37), (38) and (39), Articles 5 to 12, Article 13(1), (2), (3), (6) and (7), Article 15, Article 16(1) and (2), Articles 17, **18, 20 and 21**, Article 22(1), (2) and (4), Articles 23 to 29 and Annexes I to IX by [insert date : **18 months** after entry into force] at the latest .

Justification

Amendment needed for the internal logic of the text.

Amendment 184

Proposal for a directive

Article 31 – paragraph 1 – subparagraph 1 a (new)

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 19 by ... [three months after the date of entry into force of this Directive] at the latest.

Amendment 185**Proposal for a directive****Annex I – Section 1 – table 1**

Text proposed by the Commission

Averaging period	Limit value	
PM _{2.5}		
1 day	25 µg/m ³	not to be exceeded more than 18 times per calendar year
Calendar year	10 µg/m ³	
PM ₁₀		
1 day	45 µg/m ³	not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m ³	
Nitrogen dioxide (NO ₂)		
1 hour	200 µg/m ³	not to be exceeded more than once per calendar year
1 day	50 µg/m ³	not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m ³	
Sulphur dioxide (SO ₂)		
1 hour	350 µg/m ³	not to be exceeded more than once per calendar year
1 day	50 µg/m ³	not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m ³	
Benzene		
Calendar year	3,4 µg/m ³	
Carbon monoxide (CO)		
maximum daily 8 – hour mean (1)	10 mg/m ³	
1 day	4 mg/m ³	not to be exceeded more than 18 times per calendar year
Lead (Pb)		
Calendar year	0,5 µg/m ³	
Arsenic (As)		

Calendar year	6,0 ng/m ³
Cadmium (Cd)	
Calendar year	5,0 ng/m ³
Nickel (Ni)	
Calendar year	20 ng/m ³
Benzo(a)pyrene	
Calendar year	1,0 ng/m ³
(1) The maximum daily 8-hour mean concentration will be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated will be assigned to the day on which it ends i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on that day.	

Amendment

Averaging period	Limit value	
PM _{2.5}		
1 day	15 µg/m ³	not to be exceeded more than 18 times per calendar year
Calendar year	5 µg/m ³	
PM ₁₀		
1 day	45 µg/m ³	not to be exceeded more than 18 times per calendar year
Calendar year	15 µg/m ³	
Nitrogen dioxide (NO ₂)		
1 hour	200 µg/m ³	not to be exceeded more than once per calendar year
1 day	25 µg/m ³	not to be exceeded more than 18 times per calendar year
Calendar year	10 µg/m ³	
Sulphur dioxide (SO ₂)		
1 hour	200 µg/m ³	not to be exceeded more than once per calendar year
1 day	40 µg/m ³	not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m ³	
Benzene		
Calendar year	0,17 µg/m ³	
Carbon monoxide (CO)		
maximum daily 8 – hour mean (1)	10 mg/m ³	
1 day	4 mg/m ³	not to be exceeded more than 18 times per calendar year
Lead (Pb)		
Calendar year	0,15 µg/m ³	
Arsenic (As)		
Calendar year	0,66 ng/m ³	
Cadmium (Cd)		
Calendar year	5,0 ng/m ³	
Nickel (Ni)		

Calendar year	2,5 ng/m ³
Benzo(a)pyrene	
Calendar year	0,25 ng/m ³
(1) The maximum daily 8-hour mean concentration will be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated will be assigned to the day on which it ends i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on that day.	

Amendment 186
Proposal for a directive
Annex I – Section 2 – point B – table
Text proposed by the Commission

B Ozone target values

Objective	Averaging period	Target value	
Protection of human health	Maximum daily 8-hour mean (1)	120 µg/m ³	not to be exceeded on more than 18 days per calendar year averaged over 3 years (2)
Protection of the environment	May to July	AOT40 (calculated from 1-hour values)	18 000 µg/m ³ × h averaged over 5 years (2)
(1) The maximum daily 8-hour mean concentration shall be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated shall be assigned to the day on which it ends. i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on the day.			
(2) If the 3- or 5-year averages cannot be determined on the basis of a full and consecutive set of annual data, the minimum annual data required for checking compliance with the target values will be as follows: - for the target value for the protection of human health: valid data for 1 year, - for the target value for the protection of vegetation: valid data for 3 years.			

Amendment

B Ozone target values

Objective	Averaging period	Target value	
Protection of human health	Maximum daily 8-hour mean (1)	110 µg/m ³	not to be exceeded on more than 18 days per calendar year averaged over 3 years (2)

Protection of the environment	May to July	AOT40 (calculated from 1-hour values)	18 000 $\mu\text{g}/\text{m}^3 \times \text{h}$ averaged over 5 years (2)
(1) The maximum daily 8-hour mean concentration shall be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated shall be assigned to the day on which it ends. i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on the day.			
(2) If the 3- or 5-year averages cannot be determined on the basis of a full and consecutive set of annual data, the minimum annual data required for checking compliance with the target values will be as follows: - for the target value for the protection of human health: valid data for 1 year, - for the target value for the protection of vegetation: valid data for 3 years.			

Amendment 187

Proposal for a directive

Annex I – Section 2 – point C – table

Text proposed by the Commission

C Long-term objectives for ozone (O_3)

Objective	Averaging period	Long-term objective	
Protection of human health	Maximum daily 8-hour mean within a calendar year	100 $\mu\text{g}/\text{m}^3$ (1)	
Protection of vegetation	May to July	AOT40 (calculated from 1 h values)	6 000 $\mu\text{g}/\text{m}^3 \times \text{h}$
(1) 99 th percentile (i.e. 3 exceedance days per year).			

Amendment

Objective	Averaging period	Long-term objective	
Protection of human health	Maximum daily 8-hour mean within a calendar year	100 $\mu\text{g}/\text{m}^3$ (1)	
	Peak season	60 $\mu\text{g}/\text{m}^3$ (2)	
Protection of vegetation	May to July	AOT40 (calculated from 1 h values)	6 000 $\mu\text{g}/\text{m}^3 \times \text{h}$
(1) 99 th percentile (i.e. 3 exceedance days per year).			
(2) Average of daily maximum 8-hour mean O_3 concentration in the six consecutive months with the highest six-month running average O_3 concentration.			

Amendment 188

Proposal for a directive
Annex I – Section 4 – point A – title

Text proposed by the Commission

Amendment

A Alert thresholds *for pollutants other than ozone*

A Alert thresholds

Amendment 189

Proposal for a directive
Annex I – Section 4 – point A – paragraph 1

Text proposed by the Commission

Amendment

To be measured over 3 consecutive hours in the case of sulphur dioxide *and* nitrogen dioxide, and over *three* consecutive days for PM₁₀ and PM_{2.5}, at locations representative of air quality over at least 100 km² or an entire zone, whichever is the smaller.

The alert thresholds are triggered when the values in the following table are exceeded for 3 consecutive hours in the case of sulphur dioxide, nitrogen dioxide *and ozone*, and over *3* consecutive days for PM₁₀ and PM_{2.5}, at locations representative of air quality over at least 100 km² or an entire zone, whichever is the smaller.

Amendment 190

Proposal for a directive
Annex I – Section 4 – point A– table

Text proposed by the Commission

Pollutant	Alert threshold
Sulphur dioxide (SO ₂)	500 µg/m ³
Nitrogen dioxide (NO ₂)	400 µg/m ³
PM _{2.5}	50 µg/m ³
PM ₁₀	90 µg/m ³

Amendment

Pollutant	Alert threshold
Sulphur dioxide (SO ₂)	200 µg/m ³
Nitrogen dioxide (NO ₂)	100 µg/m ³
PM _{2.5}	50 µg/m ³
PM ₁₀	90 µg/m ³
Ozone (O₃)	240 µg/m ³

Amendment 191

Proposal for a directive Annex I – Section 4 – point B – title

Text proposed by the Commission

Amendment

B Information **and alert** thresholds
for ozone

B Information thresholds

Amendment 192

Proposal for a directive Annex I – Section 4 – point B – paragraph -1 (new)

Text proposed by the Commission

Amendment

The information thresholds are triggered when the values in the following table are exceeded for a 24-hour period in the case of sulphur dioxide, nitrogen dioxide, PM₁₀ and PM_{2.5}, and for 3 consecutive hours in the case of ozone.

Amendment 193

Proposal for a directive Annex I – Section 4 – point B – table *Text proposed by the Commission*

<i>Purpose</i>	<i>Averaging period</i>	<i>Threshold</i>
<i>Information</i>	<i>1 hour</i>	180 µg/m ³
<i>Alert</i>	<i>1 hour (1)</i>	<i>240 µg/m³</i>
<i>(1) For the implementation of Article 20, the exceedance of the threshold is to be measured or predicted for 3 consecutive hours.</i>		

Amendment

<i>Pollutant</i>	<i>Information threshold</i>
<i>Sulphur dioxide (SO₂)</i>	<i>40 µg/m³</i>
<i>Nitrogen dioxide (NO₂)</i>	<i>25 µg/m³</i>
<i>PM_{2.5}</i>	<i>15 µg/m³</i>
<i>PM₁₀</i>	<i>45 µg/m³</i>
<i>Ozone (O₃)</i>	180 µg/m ³

Amendment 194

Proposal for a directive Annex I – Section 5 – point A – paragraph 1

Text proposed by the Commission

The Average Exposure Indicator expressed in $\mu\text{g}/\text{m}^3$ (AEI) shall be based upon measurements in urban background locations in territorial units at NUTS 1 level throughout the territory of a Member State. It shall be assessed as a 3-calendar-year running annual mean concentration averaged over all sampling points of the relevant pollutant ***established pursuant to Point B of Annex III*** in each NUTS 1 territorial unit. The AEI for a particular year shall be the mean concentration of that same year and the preceding 2 years.

Amendment

The Average Exposure Indicator expressed in $\mu\text{g}/\text{m}^3$ (AEI) shall be based upon measurements ***at all sampling points*** in urban background locations in territorial units at NUTS 2 level throughout the territory of a Member State. It shall be assessed as a 3-calendar-year running annual mean concentration averaged over all sampling points of the relevant pollutant in each NUTS 2 territorial unit. The AEI for a particular year shall be the mean concentration of that same year and the preceding 2 years.

Amendment 195

Proposal for a directive Annex I – Section 5 – point A – paragraph 2

Text proposed by the Commission

Where Member States identify exceedances attributable to natural sources, contributions from natural sources shall be deducted before calculating the AEI.

Amendment

Where Member States identify exceedances attributable to natural sources, ***which the Member State or Member States could not have mitigated***, contributions from natural sources shall be deducted before calculating the AEI.

Amendment 196

Proposal for a directive Annex I – Section 5 – point B – paragraph 1 – indent 1

Text proposed by the Commission

– for $\text{PM}_{2.5}$, 25% lower than the AEI was **10** years before, unless it is already no higher than the average exposure concentration objective for $\text{PM}_{2.5}$ defined

Amendment

– for $\text{PM}_{2.5}$, 25% lower than the AEI was **7** years before, unless it is already no higher than the average exposure concentration objective for $\text{PM}_{2.5}$ defined

in Section C.

in Section C.

Amendment 197

Proposal for a directive

Annex I – Section 5 – point B – paragraph 1 – indent 2

Text proposed by the Commission

– for NO₂, 25% lower than the AEI was **10** years before, unless it is already no higher than the average exposure concentration objective for NO₂ defined in Section C.

Amendment

– for NO₂, 25% lower than the AEI was **7** years before, unless it is already no higher than the average exposure concentration objective for NO₂ defined in Section C.

Amendment 198

Proposal for a directive

Annex II – Section 1 – table

Text proposed by the Commission

Pollutant	Assessment threshold (annual mean, unless specified)
PM _{2.5}	5 µg/m ³
PM ₁₀	15 µg/m ³
Nitrogen dioxide (NO ₂)	10 µg/m ³
Sulphur dioxide (SO ₂)	40 µg/m ³ (24-hour mean) ⁽¹⁾
Benzene	1,7 µg/m ³
Carbon monoxide (CO)	4 mg/m ³ (24-hour mean) ⁽¹⁾
Lead (Pb)	0,25 µg/m ³
Arsenic (As)	3,0 ng/m ³
Cadmium (Cd)	2,5 ng/m ³
Nickel (Ni)	10 ng/m ³
Benzo(a)pyrene	0,12 ng/m ³
Ozone (O ₃)	100 µg/m ³ (maximum 8-hour mean) ⁽¹⁾

(1) 99th percentile (i.e. 3 exceedance days per year).

Amendment

Pollutant	Assessment threshold (annual mean, unless specified)
PM _{2.5}	3,5 µg/m ³
PM ₁₀	10,5 µg/m ³
Nitrogen dioxide (NO ₂)	8 µg/m ³
Sulphur dioxide (SO ₂)	24 µg/m ³ (24-hour mean) ⁽¹⁾
Benzene	0,12 µg/m ³
Carbon monoxide (CO)	4 mg/m ³ (24-hour mean) ⁽¹⁾

Lead (Pb)	0,1 µg/m ³
Arsenic (As)	0,46 ng/m ³
Cadmium (Cd)	2,5 ng/m ³
Nickel (Ni)	1,75 ng/m ³
Benzo(a)pyrene	0,12 ng/m ³
Ozone (O ₃)	77 µg/m ³ (maximum 8-hour mean) ⁽¹⁾
(1) 99 th percentile (i.e. 3 exceedance days per year).	

Amendment 199

Proposal for a directive

Annex III – Section A – point 1 – paragraph 1

Text proposed by the Commission

Table 1 - Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and alert thresholds in zones where fixed measurement is the sole source of information (for all pollutants except ozone)

Amendment

Table 1 - Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and **information and** alert thresholds in zones where fixed measurement is the sole source of information (for all pollutants except ozone)

Amendment 200

Proposal for a directive

Annex III – Section A – point 1 – table 1

Text proposed by the Commission

Population of zone (thousands)	Minimum number of sampling points if concentrations exceed the assessment threshold					
	NO ₂ , SO ₂ , CO, benzene	Sum PM (1)	Minimum PM ₁₀	Minimum PM _{2.5}	Pb, Cd, As, Ni in PM ₁₀	Benzo(a)pyrene in PM ₁₀
0 - 249	2	4	2	2	1	1
250 - 499	2	4	2	2	1	1
500 - 749	2	4	2	2	1	1
750 - 999	3	4	2	2	2	2
1 000 - 1 499	4	6	2	2	2	2
1 500 - 1 999	5	7	3	3	2	2
2 000 - 2 749	6	8	3	3	2	3
2 750 - 3 749	7	10	4	4	2	3

3 750 - 4 749	8	11	4	4	3	4
4 750 - 5 999	9	13	5	5	4	5
6 000+	10	15	5	5	5	5
(1) The number of PM_{2.5} and NO₂ sampling points in the urban background locations of urban areas shall meet the requirements set out in Point B.						

Amendment

Population of zone (thousands)	Minimum number of sampling points if concentrations exceed the assessment threshold					
	NO ₂ , SO ₂ , CO, benzene	Sum PM	Minimum PM ₁₀	Minimum PM _{2.5}	Pb, Cd, As, Ni in PM ₁₀	Benzo(a)pyrene in PM ₁₀
0 - 249	2	4	2	2	1	1
250 - 499	2	4	2	2	1	1
500 - 749	2	4	2	2	1	1
750 - 999	3	4	2	2	2	2
1 000 - 1 499	4	6	2	2	2	2
1 500 - 1 999	5	7	3	3	2	2
2 000 - 2 749	6	8	3	3	2	3
2 750 - 3 749	7	10	4	4	2	3
3 750 - 4 749	8	11	4	4	3	4
4 750 - 5 999	9	13	5	5	4	5
6 000+	10	15	5	5	5	5

Amendment 201

Proposal for a directive

Annex III – Section A – point 1 – table 2

Text proposed by the Commission

Population (thousands)	Minimum number of sampling points if <i>the number of sampling points is reduced by up to 50%</i> ⁽¹⁾
< 250	1
< 500	2

< 1 000	2
< 1 500	3
< 2 000	4
< 2 750	5
< 3 750	6
≥ 3 750	1 additional sampling point per 2 million inhabitants
(1) At least 1 sampling point in areas where exposure of the population to the highest concentrations of ozone is likely to occur. In agglomerations, at least 50 % of the sampling points shall be located in suburban areas	

Amendment

Population (thousands)	Minimum number of sampling points if <i>concentrations exceed the assessment threshold</i> ⁽¹⁾
< 250	1
< 500	2
< 1 000	2
< 1 500	3
< 2 000	4
< 2 750	5
< 3 750	6
≥ 3 750	1 additional sampling point per 2 million inhabitants
(1) At least 1 sampling point in areas where exposure of the population to the highest concentrations of ozone is likely to occur. In agglomerations, at least 50 % of the sampling points shall be located in suburban areas	

Amendment 202

**Proposal for a directive
Annex III – Section A – point 1 – paragraph 3**

Text proposed by the Commission

Table 3 - Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and alert thresholds in zones where a 50% reduction of such measurements applies (for all pollutants except ozone)

Amendment

Table 3 - Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and **information and** alert thresholds in zones where a 50% reduction of such measurements applies (for all pollutants except ozone)

Amendment 203

**Proposal for a directive
Annex III – Section A – point 1 – table 3**

Text proposed by the Commission

Population of zone (thousands)	Minimum number of sampling points if the number of sampling points is reduced by up to 50%					
	NO ₂ , SO ₂ , CO, benzene	Sum PM ⁽¹⁾	Minimum PM ₁₀	Minimum PM _{2.5}	Pb, Cd, As, Ni in PM ₁₀	Benzo(a)pyrene in PM ₁₀
0 - 249	1	2	1	1	1	1
250 - 499	1	2	1	1	1	1
500 - 749	1	2	1	1	1	1
750 - 999	2	2	1	1	1	1
1 000 - 1 499	2	3	1	1	1	1
1 500 - 1 999	3	4	2	2	1	1
2 000 - 2 749	3	4	2	2	1	2
2 750 - 3 749	4	5	2	2	1	2
3 750 - 4 749	4	6	2	2	2	2
4 750 - 5 999	5	7	3	3	2	3
6 000+	5	8	3	3	3	3

(1) The number of PM_{2.5} and NO₂ sampling points in the urban background locations of urban areas shall meet the requirements set out in point B.

Amendment

Population of zone (thousands)	Minimum number of sampling points if the number of sampling points is reduced by up to 50%					
	NO ₂ , SO ₂ , CO, benzene	Sum PM	Minimum PM ₁₀	Minimum PM _{2.5}	Pb, Cd, As, Ni in PM ₁₀	Benzo(a)pyrene in PM ₁₀
0 - 249	1	2	1	1	1	1
250 - 499	1	2	1	1	1	1
500 - 749	1	2	1	1	1	1
750 - 999	2	2	1	1	1	1
1 000 - 1 499	2	3	1	1	1	1
1 500 - 1 999	3	4	2	2	1	1
2 000 - 2 749	3	4	2	2	1	2
2 750 - 3 749	4	5	2	2	1	2
3 750 - 4 749	4	6	2	2	2	2
4 750 - 5 999	5	7	3	3	2	3
6 000+	5	8	3	3	3	3

Amendment 204

**Proposal for a directive
Annex III – Section A – point 1 – paragraph 5**

Text proposed by the Commission

For each zone, the minimum number of sampling points for fixed measurements set out in the tables in this point shall include at least 1 background location sampling point and 1 sampling point in ***the area with the highest concentrations*** according to Point B, of Annex IV ***provided this does not increase the number of sampling points***. For nitrogen dioxide, particulate matter, benzene and carbon monoxide, this shall include at least 1 sampling point focused on measuring contribution from transport emissions. However, in the cases where there is only 1 sampling point required, this shall be in the area with the highest concentrations to which the population is likely to be directly or indirectly exposed.

Amendment 205

**Proposal for a directive
Annex III – Section A – point 1 – paragraph 6**

Text proposed by the Commission

For each zone, for nitrogen dioxide, particulate matter, benzene and carbon monoxide, the total number of urban background location sampling points and the total number of sampling points ***where the highest concentrations occur*** required shall not differ by more than a factor of 2. The number of PM_{2.5} and nitrogen dioxide sampling points at urban background locations shall meet the requirements set out in Point B.

Amendment 206

**Proposal for a directive
Annex III – Section B**

Amendment

For each zone, the minimum number of sampling points for fixed measurements set out in the tables in this point shall include at least 1 background location sampling point and 1 sampling point in ***air pollution hotspots*** according to Point B, of Annex IV. For nitrogen dioxide, particulate matter, benzene, ***sulphur dioxide*** and carbon monoxide, this shall include at least 1 sampling point focused on measuring contribution from transport emissions. However, in the cases where there is only 1 sampling point required, this shall be in the area with the highest concentrations to which the population is likely to be directly or indirectly exposed.

Amendment

For each zone, for nitrogen dioxide, particulate matter, benzene and carbon monoxide, the total number of urban background location sampling points and the total number of sampling points ***in air pollution hotspots*** required shall not differ by more than a factor of 2. The number of PM_{2.5} and nitrogen dioxide sampling points at urban background locations ***and air pollution hotspots*** shall meet the requirements set out in Point B.

Text proposed by the Commission

Amendment

B *Minimum number of sampling points for fixed measurement to assess compliance with the PM₂₅ and NO₂ average exposure reduction obligations for the protection of human health*

deleted

For PM_{2.5} and NO₂ each, one sampling point per NUTS 1 region as described in Regulation (EC) No 1059/2003, and at least 1 sampling point per million inhabitants calculated over urban areas in excess of 100 000 inhabitants shall be operated for this purpose. Those sampling points may coincide with sampling points under Point A.

Amendment 207

Proposal for a directive Annex III – Section D – title

Text proposed by the Commission

Amendment

D Minimum number of sampling points for fixed measurements of ultrafine particles where high concentrations

D Minimum number of sampling points for fixed measurements of ultrafine particles, ***black carbon, mercury and ammonia*** where high concentrations ***are likely to occur***

Amendment 208

Proposal for a directive Annex III – Section D – paragraph 1

Text proposed by the Commission

Amendment

Ultrafine ***particles*** shall be monitored at selected locations in addition to other air pollutants. ***Sampling points to monitor ultrafine particles shall coincide, where appropriate, with*** sampling points for particulate matter or nitrogen dioxide referred to in Point A, ***and*** be sited in accordance with Section 3 of Annex VII.

Ultrafine ***particle number concentrations and BC*** shall be monitored at selected locations in addition to other air pollutants ***at those same locations as*** sampling points for particulate matter or nitrogen dioxide referred to in Point A ***of this Annex, and be sited in accordance with Section 3 of Annex VII. Sampling points to monitor***

For this purpose, at least **1** sampling point per **5** million inhabitants shall be established at a location where high UFP concentrations are likely to occur. Member States that have fewer than **5** million inhabitants shall establish at least **1** fixed sampling point at a location where high UFP concentrations are likely to occur.

ammonia shall coincide, where appropriate, with sampling points for particulate matter referred to in Point A of this Annex, and be sited in accordance with Section 3 of Annex VII. Sampling points to monitor mercury shall be sited in accordance with Section 3 of Annex VII. For this purpose, at least one sampling point per 1 million inhabitants shall be established at a location where high UFP concentrations are likely to occur, at least one sampling point per 1 million inhabitants shall be established at a location where high BC concentrations are likely to occur, at least one sampling point per 1 million inhabitants shall be established at a location where high mercury concentrations are likely to occur, and at least one sampling point per 1 million inhabitants shall be established at a location where high NH₃ concentrations are likely to occur.

Member States that have fewer than **1** million inhabitants shall establish at least **one** fixed sampling point at a location where high UFP concentrations are likely to occur, ***one sampling point at a location where high BC concentrations are likely to occur, one sampling point at a location where high NH₃ concentrations are likely to occur, and one sampling point at a location where high mercury concentrations are likely to occur.***

Amendment 209

Proposal for a directive Annex III – Section D – paragraph 2

Text proposed by the Commission

Monitoring supersites at urban background or rural background locations established in accordance with Article 10 shall not be included for the purpose of meeting the requirements on the minimum number of sampling points for UFP set here.

Amendment

Monitoring supersites at urban background or rural background locations established in accordance with Article 10 shall not be included for the purpose of meeting the requirements on the minimum number of sampling points for UFP, ***BC and NH₃*** set

here.

Amendment 210

Proposal for a directive

Annex IV – Section A – paragraph 1 – point 2 – point c

Text proposed by the Commission

(c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access to the central reservation.

Amendment

(c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access to the central reservation ***or where cycling lanes are present.***

Amendment 211

Proposal for a directive

Annex IV – Section B – point 2 – point a – introductory part

Text proposed by the Commission

(a) Sampling points directed at the protection of human health shall be sited in such a way as to provide data on all of the following:

Amendment

(a) Sampling points directed at the protection of human health shall be sited in such a way as to provide ***reliable*** data on all of the following:

Amendment 212

Proposal for a directive

Annex IV – Section B – point 2 – point a – point i

Text proposed by the Commission

(i) concentration levels in the areas within zones with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s),

Amendment

(i) concentration levels in the areas within zones with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s), ***including in the vicinity of all air pollution hotspots,***

Amendment 213
Proposal for a directive
Annex IV – Section B – point 2 – point a – point ii

Text proposed by the Commission

(ii) concentration levels in other areas within the zones which are representative of the exposure of the general population, and

Amendment

(ii) concentration levels in other areas within the zones which are representative of the exposure of the general population, ***both in urban and rural background locations***, and

Amendment 214
Proposal for a directive
Annex IV – Section B – point 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) locations intended to be representative of urban traffic shall be located in such a way as to provide data on the streets where the highest concentrations occur, taking into consideration traffic volume (at least 10 000 vehicles per day or representing the largest traffic density in the zone), local dispersion conditions and spatial land use (for example in street canyons);

Amendment 215
Proposal for a directive
Annex IV – Section B – point 2 – point c

Text proposed by the Commission

(c) urban background locations shall be located so that their pollution level is influenced by the integrated contribution from all sources upwind of the sampling point. The pollution level shall not be dominated by a single source unless such a situation is typical for a larger urban area. Those sampling points shall, as a general rule, be representative for several square kilometres;

Amendment

(c) urban background locations shall be located so that their pollution level is influenced by the integrated contribution from all sources upwind of the sampling point, ***following the main wind direction***. The pollution level shall not be dominated by a single source unless such a situation is typical for a larger urban area. Those sampling points shall, as a general rule, be representative for several square kilometres;

Amendment 216
Proposal for a directive
Annex IV – Section B – point 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) air pollution hotspots shall be covered by a sufficient number of sampling points installed within the main wind direction of the source where there is a near residential area or an area where the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit or target value or values, including but not limited to schools, hospitals, assisted living facilities and office areas;

Amendment 217
Proposal for a directive
Annex IV – Section B – point 2 – point c b (new)

Text proposed by the Commission

Amendment

(cb) where the objective is to measure concentration levels in areas referred to in points (a)(i) and (a)(ii), sampling points shall be sited close to locations frequented by sensitive population and vulnerable groups and at-risk communities, such as schools, playgrounds, hospitals and homes for the elderly;

Amendment 218
Proposal for a directive
Annex IV – Section B – point 2 – point d

Text proposed by the Commission

Amendment

(d) where the objective is to measure the contribution of ***domestic*** heating, at least one sampling point shall be installed within the main wind direction of these sources;

(d) where the objective is to measure the contribution of heating, at least one sampling point shall be installed within the main wind direction of these sources; ***sampling points shall be sited in such a way that the air sampled is representative***

*of air quality for an area of at least 250 m
× 250 m;*

Amendment 219
Proposal for a directive
Annex IV – Section B – point 2 – point e

Text proposed by the Commission

(e) *where the objective is to assess rural background levels, the sampling point shall not be influenced by urban areas or industrial sites in its vicinity, i.e. sites closer than 5 km;*

Amendment

(e) *sampling points in rural background locations shall be located so that they are not influenced by urban areas and so that their pollution level is influenced by the integrated contribution from all relevant sources;*

Amendment 220
Proposal for a directive
Annex IV – Section B – point 2 – point f

Text proposed by the Commission

(f) where contributions from industrial sources, ports *or* airports are to be assessed, at least **1** sampling point shall be installed downwind of the source in the nearest residential area. Where the background concentration is not known, an additional sampling point shall be situated within the main wind direction. The sampling points shall be sited such that the application of BAT can be monitored;

Amendment

(f) where contributions from industrial sources, ports **and** airports are to be assessed, at least **one** sampling point shall be installed downwind **following the main wind direction** of the source in the nearest residential area. Where the background concentration is not known, an additional sampling point shall be situated within the main wind direction. The sampling points shall be sited such that the application of BAT can be monitored;

Amendment 221
Proposal for a directive
Annex IV – Section B – point 2 – point i

Text proposed by the Commission

(i) sampling points measuring arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons shall, **where possible**, be co-located with sampling

Amendment

(i) sampling points measuring arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons shall be co-located with sampling points for PM₁₀.

points for PM₁₀.

Amendment 222

Proposal for a directive

Annex IV – Section B – point 4 – table

Text proposed by the Commission

Type of sampling point	Objectives of measurement	Representativeness (1)	Macro-scale siting criteria
Urban background locations for ozone assessments	Protection of human health: to assess the exposure of the urban population to ozone, i.e. where population density and ozone concentration are relatively high and representative of the exposure of the general population	1 to 10 km ²	Away from the influence of local emissions such as traffic, petrol stations, etc.; vented locations where well mixed levels can be measured; locations such as residential and commercial areas of cities, parks (away from trees), wide streets or squares with very little or no traffic, open areas characteristic of educational, sports or recreation facilities.
Suburban locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of the population and vegetation located in the outskirts of the urban area, with the highest ozone levels to which the population and vegetation are likely to be directly or indirectly exposed.	10 to 100 km ²	At a certain distance from the area of maximum emissions, downwind following the main wind direction/directions during conditions favourable to ozone formation; where population, sensitive crops or natural ecosystems located in the outer fringe of an urban area are exposed to high ozone levels; where appropriate, some suburban sampling points also upwind of the area of maximum emissions,

			in order to determine the regional background levels of ozone.
Rural locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of population, crops and natural ecosystems to sub-regional scale ozone concentrations.	Sub-regional levels (100 to 1 000 km ²)	Sampling points may be located in small settlements and/or areas with natural ecosystems, forests or crops; representative for ozone away from the influence of immediate local emissions such as industrial sites and roads; at open area sites, but not on summits of higher mountains
Rural background locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of crops and natural ecosystems to regional-scale ozone concentrations as well as exposure of the population.	Regional/national/continental levels (1 000 to 10 000 km ²)	Sampling points located in areas with lower population density, e.g. with natural ecosystems, forests, at a distance of at least 20 km from urban and industrial areas and away from local emissions; avoid locations which are subject to locally enhanced formation of ground-near inversion conditions, also summits of higher mountains; coastal sites with pronounced diurnal wind cycles of local character are not recommended.
(1) Sampling points shall, where possible, be representative of similar locations not in the immediate vicinity of the sampling points.			

Amendment

Type of sampling point	Objectives of measurement	Representativeness (1)	Macro-scale siting criteria
Urban background locations for ozone assessments	Protection of human health: to assess the exposure of the urban population to ozone, i.e. where population density and ozone concentration are relatively high and representative of the exposure of the general population	1 to 10 km ²	Away from the influence of local emissions such as traffic, petrol stations, etc.; vented locations where well mixed levels can be measured; locations frequented by sensitive population and vulnerable groups, such as schools, playgrounds, hospitals and homes for elderly; locations such as residential and commercial areas of cities, parks (away from trees), wide streets or squares with very little or no traffic, open areas characteristic of educational, sports or recreation facilities.
Suburban locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of the population and vegetation located in the outskirts of the urban area, with the highest ozone levels to which the population and vegetation are likely to be directly or indirectly exposed.	10 to 100 km ²	At a certain distance from the area of maximum emissions, downwind following the main wind direction/directions during conditions favourable to ozone formation; locations frequented by sensitive population and vulnerable groups, such as schools, playgrounds, hospitals and homes for elderly; where population, sensitive crops or natural ecosystems

			located in the outer fringe of an urban area are exposed to high ozone levels; where appropriate, some suburban sampling points also upwind of the area of maximum emissions, in order to determine the regional background levels of ozone.
Rural locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of population, crops and natural ecosystems to sub-regional scale ozone concentrations.	Sub-regional levels (100 to 1 000 km ²)	Sampling points may be located in small settlements and/or areas with natural ecosystems, forests or crops; <i>locations frequented by sensitive population and vulnerable groups, such as schools, playgrounds, hospitals and homes for elderly;</i> representative for ozone away from the influence of immediate local emissions such as industrial sites and roads; at open area sites, but not on summits of higher mountains
Rural background locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of crops and natural ecosystems to regional-scale ozone concentrations as well as exposure of the population.	Regional/national/continental levels (1 000 to 10 000 km ²)	Sampling points located in areas with lower population density, e.g. with natural ecosystems, forests, at a distance of at least 20 km from urban and industrial areas and away from local emissions; avoid locations which are subject to locally enhanced formation of ground-near inversion conditions, also

			summits of higher mountains; coastal sites with pronounced diurnal wind cycles of local character are not recommended.
(1) Sampling points shall, where possible, be representative of similar locations not in the immediate vicinity of the sampling points.			

Amendment 223
Proposal for a directive
Annex IV – Section C – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

In so far as is practicable, the following shall apply:

The following shall apply:

Amendment 224
Proposal for a directive
Annex IV – Section C – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) in general, the sampling point inlet shall be between 0,5 m (the breathing zone) and **4 m** above the ground. Higher siting (up to **8m**) may be appropriate if the sampling point is representative of a large area (a background location) **or in other specific circumstances and any derogations** shall be fully documented;

(b) in general, the sampling point inlet shall be between 0,5 m (the breathing zone) and **3 m** above the ground. Higher siting (up to **6 m**) may be appropriate if the sampling point is representative of a large area (a background location). **The decision to apply such higher siting** shall be fully documented;

Amendment 225
Proposal for a directive
Annex IV – Section C – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) for all pollutants, sampling probes shall be **at least 25 m** from the edge of major junctions **and no more than 10 m from the kerbside**; for the purposes of this point, a ‘kerbside’ means the line that

(e) for all pollutants, sampling probes shall be **positioned no more than 5 m from the kerbside; consideration shall be given to whether locating the sampling point at less than 25 m** from the edge of major

separates motorised traffic from other areas; a ‘major junction’ means a junction which interrupts the traffic flow and causes different emissions (stop&go) from the rest of the road;

junctions *would result in over- or under-estimating concentrations and lead to measuring a very small micro-environment that is not representative of levels along that road segment*; for the purposes of this point, a ‘kerbside’ means the line that separates motorised traffic from other areas; a ‘major junction’ means a junction which interrupts the traffic flow and causes different emissions (stop&go) from the rest of the road;

Amendment 226
Proposal for a directive
Annex IV – Section C – paragraph 1 – point f

Text proposed by the Commission

(f) for the deposition measurements in rural background locations, the guidelines and criteria of EMEP shall apply *as far as practicable*;

Amendment

(f) for the deposition measurements in rural background locations, the guidelines and criteria of EMEP shall apply;

Amendment 227
Proposal for a directive
Annex IV – Section D – point 1

Text proposed by the Commission

1. The competent authorities responsible for air quality assessment shall for all zones fully document the site-selection procedures *and* record information to support the network design and choice of location for all monitoring sites. The design of the monitoring network shall be supported at least by either modelling or indicative measurements.

Amendment

1. The competent authorities responsible for air quality assessment shall *provide a data-based assessment* for all zones, fully document the site-selection procedures, record information to support the network design and choice of location for all monitoring sites *and provide justifications*. The design of the monitoring network shall be supported at least by either modelling *with a sufficiently low level of uncertainty* or indicative measurements.

Amendment 228
Proposal for a directive
Annex IV – Section D – point 2

Text proposed by the Commission

2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps and shall include information on the spatial representativeness of all sampling points.

Amendment

2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps and ***photos, and*** shall include information on the spatial representativeness of all sampling points.

Amendment 229

Proposal for a directive

Annex IV – Section D – point 3

Text proposed by the Commission

3. The documentations shall include any deviation from the micro-scale siting criteria, their underlying reasons and the likely impact on measured levels.

Amendment

3. The documentations shall include ***evidence explaining the reasons for the network design and proof of compliance with the requirements referred to in Points B and C, in particular:***

(a) the reasons for the selection of locations representative of the highest levels of pollution in the zone or agglomeration for each pollutant;

(b) the reasons for the selection of locations representative of the general exposure of population; and

(c) any deviation from the micro-scale siting criteria, their underlying reasons and the likely impact on measured levels.

Amendment 230

Proposal for a directive

Annex IV – Section D – point 4

Text proposed by the Commission

4. Where indicative measurements, modelling ***or objective estimation***, or a combination thereof are used within a zone, the documentation shall include details of these methods and information

Amendment

4. Where indicative measurements ***or*** modelling, or a combination thereof are used within a zone, the documentation shall include details of these methods and information on how the criteria listed in

on how the criteria listed in Article 9(3) are met.

Article 9(3) are met.

Amendment 231
Proposal for a directive
Annex IV – Section D – point 5

Text proposed by the Commission

5. Where indicative measurements, modelling *or objective estimation* are used, competent authorities shall use gridded data reported under Directive (EU) 2016/2284 and emission information reported under Directive 2010/75/EU.

Amendment

5. Where indicative measurements *or* modelling are used, competent authorities shall use gridded data reported under Directive (EU) 2016/2284 and emission information reported under Directive 2010/75/EU.

Amendment 232
Proposal for a directive
Annex IV – Section D – point 9

Text proposed by the Commission

9. At least every 5 years the selection criteria, network design and monitoring site locations, defined by the competent authorities in view of the requirements of this Annex, shall be reviewed to ensure they remain valid and optimal overtime. The review shall be supported at least by either modelling or indicative measurements.

Amendment

9. At least every 5 years the selection criteria, network design and monitoring site locations, defined by the competent authorities in view of the requirements of this Annex, shall be reviewed to ensure they remain valid and optimal overtime. The review shall be supported at least by either modelling or indicative measurements *and shall identify measures to be taken within a timeframe in accordance with the guidelines to ensure that the network design remains valid and optimal. Where such a review reveals that the network design and monitoring site locations are no longer valid (for example, there is no fixed monitoring station in the area of modelled maximum levels), the competent authority shall correct and update the network design within one year.*

Amendment 233
Proposal for a directive
Annex IV – Section D – point 10 a (new)

Text proposed by the Commission

Amendment

10a. The competent authorities responsible for air quality assessment shall perform and document regular checks and maintenance of the ambient air quality monitoring stations to ensure that they continue to operate and to ensure the accuracy of measurements and reliability of instrumentation.

Amendment 234

Proposal for a directive
Annex V – Section A – point 1 – table
Text proposed by the Commission

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements (1)		Maximum ratio of uncertainty of modelling and objective estimation over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	
PM _{2.5}	3,0 µg/ m ³	30 %	4,0 µg/m ³	40 %	1,7
PM ₁₀	4,0 µg/ m ³	20 %	6,0 µg/m ³	30 %	1,3
NO ₂ / NO _x	6,0 µg/ m ³	30 %	8,0 µg/m ³	40 %	1,4
Benzene	0,75 µg/ m ³	25 %	1,2 µg/m ³	35 %	1,7
Lead	0,125 µg/ m ³	25 %	0,175 µg/m ³	35 %	1,7
Arsenic	2,4 ng/ m ³	40 %	3,0 ng/m ³	50 %	1,1
Cadmium	2,0 ng/ m ³	40 %	2,5 ng/m ³	50 %	1,1
Nickel	8,0 ng/ m ³	40 %	10,0 ng/m ³	50 %	1,1
Benzo(a)pyrene	0,5 ng m ³	50 %	0,6 ng/m ³	60 %	1,1

(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications

Amendment

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements (1)		Maximum ratio of uncertainty of modelling over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	
PM _{2.5}	1,25 µg m ³	25 %	2,0 µg/ m ³	40 %	1,7
PM ₁₀	3,0 µg/ m ³	20 %	4,5 µg/ m ³	30 %	1,3
NO ₂ / NO _x	1,5 µg/ m ³	15 %	2,5 µg/ m ³	25 %	1,4
Benzene	0,0425 µg m ³	25 %	0,05 µg/ m ³	30 %	1,7
Lead	0,0375 µg/ m ³	25 %	0,045 µg/ m ³	30 %	1,7
Arsenic	0,26 ng/ m ³	40 %	0,33 ng/ m ³	50 %	1,1
Cadmium	2,0 ng/ m ³	40 %	2,5 ng/ m ³	50 %	1,1
Nickel	1,0 ng/ m ³	40 %	1,25 ng/ m ³	50 %	1,1
Benzo(a)pyrene	0,125 ng m ³	50 %	0,15 ng/ m ³	60 %	1,1

(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications.

Amendment 235

Proposal for a directive Annex V – Section A – point 2 – table

Text proposed by the Commission

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements (1)		Maximum ratio of uncertainty of modelling and objective estimation over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	
PM _{2.5} (24-hour)	6,3 µg/m ³	25 %	8,8 µg/m ³	35 %	2,5
PM ₁₀ (24-	11,3 µg/m ³	25 %	22,5 µg/m ³	50 %	2,2

hour)					
NO ₂ (daily)	7,5 µg/m ³	15 %	12,5 µg/m ³	25 %	3,2
NO ₂ (hourly)	30 µg/m ³	15 %	50 µg/m ³	25 %	3,2
SO ₂ (daily)	7,5 µg/m ³	15 %	12,5 µg/m ³	25 %	3,2
SO ₂ (hourly)	52,5 µg/m ³	15 %	87,5 µg/m ³	25 %	3,2
CO (24-hour)	0,6 mg/m ³	15 %	1,0 mg/m ³	25 %	3,2
CO (8-hour)	1,0 mg/m ³	10 %	2,0 mg/m ³	20 %	4,9
Ozone (peak season): uncertainty of the 8h values	10,5 µg/m ³	15 %	17,5 µg/m ³	25 %	1,7
Ozone (8h mean)	18 µg/m ³	15 %	30 µg/m ³	25 %	2,2
(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications.					

Amendment

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements (1)		Maximum uncertainty of modelling over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	
					Maximum ratio
PM _{2.5} (24-hour)	3,75 µg/m ³	25 %	5,25 µg/m ³	35 %	2,5
PM ₁₀ (24-hour)	11,25 µg/m ³	25 %	22,5 µg/m ³	50 %	2,2
NO ₂ (daily)	3,75 µg/m ³	15 %	6,25 µg/m ³	25 %	3,2
NO ₂ (hourly)	30 µg/m ³	15 %	50 µg/m ³	25 %	3,2
SO ₂ (daily)	6,0 µg/m ³	15 %	10,0 µg/m ³	25 %	3,2
SO ₂ (hourly)	30,0 µg/m ³	15 %	50,0 µg/m ³	25 %	3,2
CO (24-hour)	0,6 mg/m ³	15 %	1,0 mg/m ³	25 %	3,2
CO (8-hour)	1,0 mg/m ³	10 %	2,0 mg/m ³	20 %	4,9
Ozone (peak season): uncertainty of the 8h values	9,0 µg/m ³	15 %	15,0 µg/m ³	25 %	1,7
Ozone (8h mean)	16,5 µg/m ³	15 %	27,5 µg/m ³	25 %	2,2
(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications.					

Amendment 236

Proposal for a directive

Annex V – Section A – point 2 – paragraph 3

Text proposed by the Commission

The percentages for uncertainty in the tables in this Section apply for all limit values (and the ozone target value) that are calculated by simple averaging of individual measurements such as hourly mean, daily mean or yearly mean values without considering the additional uncertainty for the calculation of the number of exceedances. The uncertainty shall be interpreted as being applicable in the region of the appropriate limit values (or ozone target value). The uncertainty calculation does not apply to AOT40 and values that include more than 1 year, more than 1 station (e.g. AEI) or more than 1 component. They are also not applicable for information thresholds, alert thresholds and critical levels for the protection of vegetation and natural ecosystems.

Amendment

The percentages for uncertainty in the tables in this Section apply for all limit values (and the ozone target value) that are calculated by simple averaging of individual measurements such as hourly mean, daily mean or yearly mean values without considering the additional uncertainty for the calculation of the number of exceedances. ***Levels below 5 for PM_{2.5} and 10 for NO₂ shall be allowed to have percentages for uncertainty of 30 %.*** The uncertainty shall be interpreted as being applicable in the region of the appropriate limit values (or ozone target value). The uncertainty calculation does not apply to AOT40 and values that include more than 1 year, more than 1 station (e.g. AEI) or more than 1 component. They are also not applicable for information thresholds, alert thresholds and critical levels for the protection of vegetation and natural ecosystems.

Amendment 237

Proposal for a directive

Annex V – Section A – point 2 – paragraph 9

Text proposed by the Commission

Where an air quality model is used for assessment, references to descriptions of the model and information on the calculation of the modelling quality objective shall be compiled.

Amendment

Where an air quality model is used for assessment, references to descriptions of the model, ***including the spatial resolution of the model itself and source-specific input data*** and information on the calculation of the modelling quality objective shall be compiled.

Amendment 238

Proposal for a directive

Annex V – Section A – point 2 – paragraph 10

Text proposed by the Commission

Amendment

The uncertainty of objective estimation shall not exceed the uncertainty for indicative measurements by more than the applicable maximum ratio and shall not exceed 85%. The uncertainty for objective estimation is defined as the maximum deviation of the measured and calculated concentration levels, over the period considered, by the limit value (or ozone target value), without taking into account the timing of the events.

deleted

Amendment 239

Proposal for a directive

Annex V – Section B – paragraph 3

Text proposed by the Commission

Amendment

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O₃). In order to comply with these requirements and to ensure that any potential losses of data do not skew results, the minimum data coverage requirements shall be met for specific periods (quarter, month, weekday) of the whole year depending on the pollutant and measurement method/frequency.

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O₃). In order to comply with these requirements and to ensure that any potential losses of data do not skew results, the minimum data coverage ***and distribution*** requirements shall be met for specific periods (quarter, month, weekday) of the whole year depending on the pollutant and measurement method/frequency.

Amendment 240

Proposal for a directive

Annex V – Section D – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

The following information shall be compiled for zones where air quality

The following information shall be compiled for zones where air quality

modelling *or objective estimation* is used:

modelling is used:

Amendment 241

Proposal for a directive

Annex V – Section D – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) observed lack of data or information from specific sampling points,

Amendment 242

Proposal for a directive

Annex V – Section D – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) in respect of measurements from transboundary stations, an estimation of transboundary pollution related to another Member State or a third country;

Amendment 243

Proposal for a directive

Annex V – Section F – point 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall provide clear guidance and requirements for the use of air quality models, with a view to working towards harmonisation.

Amendment 244

Proposal for a directive

Annex VI – Section B – point 2

Text proposed by the Commission

Amendment

2. The Commission **may** require Member States to prepare and submit a

2. The Commission **shall** require Member States to prepare and submit a

report on the demonstration of equivalence in accordance with point 1.

report on the demonstration of equivalence in accordance with point 1.

Amendment 245

Proposal for a directive Annex VII – Section 1 – point A – paragraph 1

Text proposed by the Commission

The main objectives of such measurements are to ensure that adequate information is made available on levels in urban background and rural background locations. This information is essential to judge the enhanced levels in more polluted areas (such as urban background, industry related locations, traffic related locations), assess the possible contribution from long-range transport of pollutants, support source apportionment analysis and for the understanding of specific pollutants such as particulate matter. It is also essential for the increased use of modelling also in urban areas.

Amendment

The main objectives of such measurements are to ensure that adequate information is made available on levels in urban background and rural background locations. This information is essential to judge the enhanced levels in more polluted areas (such as urban background **locations, air pollution hotspots**, industry related locations, traffic related locations), assess the possible contribution from long-range transport of pollutants, support source apportionment analysis and for the understanding of specific pollutants such as particulate matter. It is also essential for the increased use of modelling also in urban areas.

Amendment 246

Proposal for a directive Annex VII – Section 1 – point C – paragraph 1

Text proposed by the Commission

Measurements shall be taken in urban background and rural background locations in accordance with Annex IV.

Amendment

Measurements shall be taken in urban background **locations, air pollution hotspots** and rural background locations in accordance with Annex IV.

Amendment 247

Proposal for a directive Annex VII – Section 2 – point B – paragraph 1

Text proposed by the Commission

Measurement of ozone precursor substances shall include at least nitrogen oxides (NO and NO₂), and appropriate volatile organic compounds (VOC). The selection of the specific compounds to be measured completed by other compounds of interest will depend on the objective sought.

Amendment 248

**Proposal for a directive
Annex VII – Section 3 a (new)**

Text proposed by the Commission

Amendment

Measurement of ozone precursor substances shall include at least nitrogen oxides (NO and NO₂), **methane (CH₄)** and **other** appropriate volatile organic compounds (VOC). The selection of the specific compounds to be measured completed by other compounds of interest will depend on the objective sought.

Amendment

***SECTION 3A - MEASUREMENT OF
BLACK CARBON (BC)***

A. Objectives

The objective of such measurements is to ensure that adequate information is available at locations where high concentrations of BC occur that are mainly influenced by sources from air, water, or road transport (such as airports, ports or roads), industrial sites or domestic heating. The information shall be appropriate to judge on enhanced levels of BC concentrations from those sources.

B. Substances

BC

C. Siting

Sampling points shall be established in accordance with Annexes IV and V at a location where high BC concentrations are likely to occur and within the main wind direction.

Amendment 249

**Proposal for a directive
Annex VII – Section 3 b (new)**

Text proposed by the Commission

Amendment

**SECTION 3B - MEASUREMENT OF
AMMONIA (NH₃)**

A. Objectives

The objective of such measurements is to ensure that adequate information is available at locations where high concentrations of NH₃ occur that are mainly influenced by sources from agricultural and animal farming (fields and grassland subject to the application of fertiliser, stables and storages of manure). The information shall be appropriate to judge on enhanced levels of NH₃ concentrations from those sources.

B. Substances

NH₃

C. Siting

Sampling points shall be established in accordance with Annexes IV and V at a location where high NH₃ concentrations are likely to occur and within the main wind direction.

Amendment 250

**Proposal for a directive
Annex VII – Section 3 c (new)**

Text proposed by the Commission

Amendment

**SECTION 3C – MEASUREMENT OF
MERCURY**

A. Objectives

The objective of such measurements is to ensure that adequate information is available at locations where high concentrations of mercury occur that are mainly influenced by sources from energy

production and industry. The information shall be appropriate to judge on enhanced levels of mercury concentrations from those sources.

B. SUBSTANCES

Mercury

C. Siting

Sampling points shall be established in accordance with Annexes IV and V at a location where high mercury concentrations are likely to occur and within the main wind direction.

Amendment 251

Proposal for a directive Annex VIII – title

Text proposed by the Commission

Information to be included in air quality plans for improvement in ambient air quality

Amendment

Information to be included in air quality plans **and air quality roadmaps** for improvement in ambient air quality

Amendment 252

Proposal for a directive Annex VIII – Section A – point 2 – point a

Text proposed by the Commission

(a) type of zone (urban, industrial or rural area) or characteristics of NUTS **1** territorial unit (including urban, industrial or rural areas);

Amendment

(a) type of zone (urban, industrial, **air pollution hotspot** or rural area) or characteristics of NUTS **2** territorial unit (including urban, industrial, **air pollution hotspot** or rural areas);

Amendment 253

Proposal for a directive Annex VIII – Section A – point 2 – point c

Text proposed by the Commission

(c) concentrations or average exposure indicator of the relevant pollutant observed at least 5 years prior to the exceedance;

Amendment

(c) concentrations or average exposure indicator of the relevant pollutant observed at least 5 years prior to the exceedance ***and comparison with limit values or average exposure reduction obligation and average exposure concentration objective;***

Amendment 254

Proposal for a directive Annex VIII – Section A – point 3 – paragraph 1

Text proposed by the Commission

Names and addresses of the competent authorities responsible for the development and implementation of air quality plans.

Amendment

Names and addresses of the competent authorities responsible for the development and implementation of air quality plans ***or air quality roadmaps.***

Amendment 255

Proposal for a directive Annex VIII – Section A – point 3 a (new)

Text proposed by the Commission

Amendment

3a. Assessment of environmental impacts and health effects

(a) concentrations and exceedances recorded in previous years, before the start of implementation of the air quality plan, the updated air quality plan or the air quality roadmap;

(b) in the event of an updated air quality plan, concentrations and exceedances recorded since the beginning of the implementation of the measures set out in the updated air quality plan;

(c) assessment of environmental impacts and health effects related to the exposure of the population to measured concentrations, including assessment of

mortality and morbidity from both acute and chronic health effects on both the general population and sensitive population and vulnerable groups;

(d) methods used for the assessment of environmental impacts, exposure and health effects.

Member States shall be guided in their assesment by the concentration-response (C-R) functions defined by the WHO linking concentrations of pollutants in ambient air to mortality risks or other adverse health effects (Health risks of air pollution in Europe – HRAPIE project), as well as the counterfactual concentrations above which health impacts are estimated ('cut-off points').

Amendment 256

Proposal for a directive Annex VIII – Section A – point 4 – point a

Text proposed by the Commission

(a) list of the main emission sources responsible for pollution;

Amendment

(a) list of the main emission sources **and, where possible, of the specific entities** responsible for pollution;

Amendment 257

Proposal for a directive Annex VIII – Section A – point 4 – point b

Text proposed by the Commission

(b) total quantity of emissions from these sources (in tonnes/year);

Amendment

(b) total quantity of emissions from these sources **and, where possible, of the specific entities** (in tonnes/year);

Amendment 258

Proposal for a directive Annex VIII – Section A – point 4 – point d

Text proposed by the Commission

(d) source apportionment according to relevant sectors that contribute to the exceedance in the national air pollution control programme.

Amendment

(d) source apportionment according to relevant sectors ***and, where possible, apportionment to specific entities***, that contribute to the exceedance in the national air pollution control programme.

Amendment 259

Proposal for a directive Annex VIII – Section A – point 4 a (new)

Text proposed by the Commission

Amendment

4a. Identification of effective pollution abatement measures

(a) information on all possible air pollution abatement measures that could be adopted at appropriate local, regional or national level to contribute to the attainment of air quality objectives and their estimated effect in air pollution reduction of each air pollutant, including at least the pollution abatement measures listed under point B;

(b) assessment of the emission reduction potential and projected impact on reducing concentrations resulting from the implementation of each of the possible pollution abatement measures identified, both individual and combined impacts, including the method of analysis and the associated uncertainties in line with the methodology referred to in Point Ba.

Amendment 260

Proposal for a directive Annex VIII – Section A – point 4 b (new)

Text proposed by the Commission

Amendment

4b. Baseline scenario

(a) a description of existing air pollution abatement measures at local, regional,

national and international level, including up-to-date information on the status and timetable of implementation;

(b) information concerning the status of implementation of the Directives referred to in point B, point 1, and in particular measures included in the National Air Pollution Control Programme (NAPCP);

(c) observed effects of the measures referred to in points (a) and (b) in addressing the factors responsible for the exceedance (emission reductions achieved and related concentration reductions);

(d) a projected further evolution of air quality, both emissions and concentrations, assuming no change to already adopted measures ('baseline scenario'), covering all years until the attainment date;

(e) an estimate of health effects related to the exposure of the population to air pollution in the baseline scenario;

(f) a description of the method of analysis for the projections and the associated uncertainties in line with the methodology referred to in Point Ba.

Amendment 261

Proposal for a directive

Annex VIII – Section A – point 5 – introductory part

Text proposed by the Commission

5. Expected impact of measures to reach compliance within 3 years after *adoption* of the *air quality plan*

Amendment

5. Expected impact of measures to reach compliance *as soon as possible and, at the latest*, within 3 years after *the end* of the *calendar year in which the first exceedance was recorded*

Amendment 262

Proposal for a directive

Annex VIII – Section A – point 5 – point b

Text proposed by the Commission

(b) estimated year of compliance per

Amendment

(b) *indicative trajectory towards*

air pollutant covered by the air quality plan taking into account measures referred to in point 6.

compliance and estimated year of compliance per air pollutant covered by the air quality **roadmap or air quality** plan taking into account measures referred to in point 6.

Amendment 263
Proposal for a directive
Annex VIII – Section A – point 5 – point b a (new)

Text proposed by the Commission

Amendment

(ba) for air quality roadmaps under Article 19(-1) and air quality plans under Article 19(1), with a view to ensuring that the exceedance period is kept as short as possible, detailed reasons to explain how the plan sets out measures referred to in point 4a of this Point, including the following:

(i) where the start date for implementation of a measure is later than 6 months from the date of adoption of the air quality plan or air quality roadmap, an explanation of the reasons why an earlier start date is not possible;

(ii) where the analysis pursuant to point 4a has identified measures that would have greater impacts in improving air quality, but they have not been selected for adoption, an explanation of the reasons why adoption of such measures is not considered feasible.

Amendment 264
Proposal for a directive
Annex VIII – Section A – point 6 – point -a (new)

Text proposed by the Commission

Amendment

(-a). review of pollution reduction measures as referred to in point 4a of this Point and their estimated effect on air pollution reduction of each air pollutant, including at least the measures listed under Point B;

Amendment 265
Proposal for a directive
Annex VIII – Section A – point 6 – point a

Text proposed by the Commission

(a) listing and description of all the measures set out in the air quality plan, including the identification of the competent authority in charge of their implementation;

Amendment

(a) listing and description of all the measures set out in the air quality plan **or air quality roadmap and justification for those measures in terms of the source of exceedance, their effectiveness, their efficiency and their availability in time**, including the identification of the competent authority in charge of their implementation;

Amendment 266
Proposal for a directive
Annex VIII – Section A – point 6 – point b

Text proposed by the Commission

(b) quantification of emission reduction (in tonnes/year) of each measure under point (a);

Amendment

(b) quantification of emission reduction (in tonnes/year), **by source and, where possible, by specific entities**, of each measure, **both individual and combined**, under point (a);

Amendment 267
Proposal for a directive
Annex VIII – Section A – point 6 – point c

Text proposed by the Commission

(c) timetable for implementation of each measure and **responsible actors**;

Amendment

(c) timetable for implementation of each measure and **identification, where possible, of the specific entities which have obligations arising from the measures set out in the air quality plan or air quality roadmap, and a description of those obligations and their economic and social impacts**;

Amendment 268
Proposal for a directive
Annex VIII – Section A – point 6 – point d

Text proposed by the Commission

(d) estimate of the concentration reduction as a consequence of each air quality measure, ***in relation to the exceedance concerned***;

Amendment 269
Proposal for a directive
Annex VIII – Section A – point 7 – point d

Text proposed by the Commission

(d) listing ***and*** description of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.

Amendment 270
Proposal for a directive
Annex VIII – Section A – point 7 a (new)

Text proposed by the Commission

Amendment 271
Proposal for a directive
Annex VIII – Section B – point 2 – introductory part

Text proposed by the Commission

2. ***Information on all*** air pollution abatement measures ***that have been considered*** at local, regional or national level for implementation in connection with the attainment of air quality objectives, including:

Amendment

(d) estimate of the concentration reduction ***in relation to the exceedance concerned***, as a consequence of each air quality measure, ***both individual and combined, under point (a)***;

Amendment

(d) listing, description, ***justification and socio-economic impact*** of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.

Amendment

7a. Annex 2a: A summary of the public information and consultation measures undertaken pursuant to Article 19(6), their results and an explanation of how these results were taken into account in the final air quality plan or air quality roadmap.

Amendment

2. ***When preparing air quality plans or air quality roadmaps, Member States shall consider at least the following*** air pollution abatement measures at local, regional or national level for implementation in connection with the attainment of air quality objectives,

including:

Amendment 272
Proposal for a directive
Annex VIII – Section B – point 2 – point c

Text proposed by the Commission

(c) procurement by public authorities, in line with the handbook on ***environmental*** public procurement, of ***zero emissions road vehicles***, fuels ***and*** combustion equipment to reduce emissions;

Amendment

(c) procurement by public authorities, in line with the handbook on ***green*** public procurement, of fuels, combustion equipment to reduce emissions and zero-***emission*** vehicles ***as defined in Article 3(1), point (m), of Regulation (EU) 2019/631 of the European Parliament and of the Council^{1a}***;

^{1a} ***Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO₂ emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (OJ L 111, 25.4.2019, p. 13).***

Amendment 273
Proposal for a directive
Annex VIII – Section B – point 2 – point c a (new)

Text proposed by the Commission

(ca) reduction of emissions through the uptake of zero- and low-emission collective and public transport vehicles and/or vehicles equipped with modern digital solutions affecting emissions reduction;

Amendment 274
Proposal for a directive
Annex VIII – Section B – point 2 – point c b (new)

Text proposed by the Commission

Amendment

(cb) measures to improve the quality, efficiency, affordability and connectivity of collective and public transport;

Amendment 275

Proposal for a directive

Annex VIII – Section B – point 2 – point c c (new)

Text proposed by the Commission

Amendment

(cc) measures related to the uptake and implementation of alternative fuel infrastructure;

Amendment 276

Proposal for a directive

Annex VIII – Section B – point 2 – point d

Text proposed by the Commission

Amendment

(d) measures to limit transport emissions through **traffic** planning and management (including congestion pricing, **differentiated** parking fees or other economic incentives; establishing urban vehicles access restrictions schemes, including low emission zones);

(d) measures to limit transport emissions through **urban** planning and **traffic** management, including **at least:**

(i) congestion pricing, such as road pricing and mileage-based user fees;

(ii) choice of road materials;

(iii) parking fees on public land or other economic incentives and with differentiated fees for polluting and zero-emission vehicles;

(iv) establishing urban vehicles access restrictions schemes, including low emission zones in line with the most recent Euro standard, and zero-emission zones;

(v) establishing low-traffic neighbourhoods, super blocks and car-free neighbourhoods;

- (vi) establishing car-free streets;*
- (vii) introducing low speed limits;*
- (viii) ‘last mile’ zero (exhaust) emission delivery arrangements;*
- (ix) promoting car sharing and carpooling;*
- (x) implementation of intelligent transport systems and digital solutions related to emissions reduction;*
- (xi) creation of multimodal hubs connecting various sustainable transport solutions and parking facilities;*

Amendment 277
Proposal for a directive
Annex VIII – Section B – point 2 – point e

Text proposed by the Commission

(e) measures to encourage a shift towards less polluting forms of transport;

Amendment

(e) measures to encourage a **modal** shift towards **active mobility and** less polluting forms of transport (**e.g walking, cycling, public transport or rail**), **including at least:**

(i) electrifying public transport, strengthening the public transport network, reducing public transport cost for citizens, and simplifying access and use, for example through digital and interconnected booking and real-time transit information;

(ii) ensuring smooth inter-modality for rural-urban commuting, for example between rail and cycling, and between cars and public transport (park and ride schemes);

(iii) incentivising cycling and walking, for example by expanding space for cyclists and pedestrians, prioritising cycling and walking in infrastructure planning, expanding the network of cycling routes, and redirecting fiscal and economic incentives towards active and shared mobility, including incentives for cycling and walking commute to work;

- (iv) planning for compact cities;*
- (v) scrappage schemes for the most polluting vehicles;*

Amendment 278
Proposal for a directive
Annex VIII – Section B – point 2 – point g

Text proposed by the Commission

(g) measure to ensure that low emission fuels are given preference in small-, medium- and large-scale stationary sources and in mobile sources;

Amendment

(g) requiring the use of best available technologies to eliminate or, where it is not possible to eliminate, to reduce as much as possible emissions from small-, medium- and large-scale stationary sources and in mobile sources;

Amendment 279
Proposal for a directive
Annex VIII – Section B – point 2 – point h a (new)

Text proposed by the Commission

Amendment

(ha) measures to reduce air pollution in air pollution hotspots, including in ports and port cities, and establishing specific requirements for ships and boats at berth and port traffic, while speeding-up on-shore power supply and electrification of ships and port working machinery;

Amendment 280
Proposal for a directive
Annex VIII – Section B – point 2 – point h b (new)

Text proposed by the Commission

Amendment

(hb) reduction of emissions from road, maritime and air transport through the use of alternative fuels and deployment of alternative fuels infrastructure, as well as the use of economic incentives to accelerate their take-up;

Amendment 281
Proposal for a directive
Annex VIII – Section B – point 2 – point h c (new)

Text proposed by the Commission

Amendment

(hc) measures to reduce emissions from agriculture and forestry;

Amendment 282
Proposal for a directive
Annex VIII – Section B – point 2 – point i

Text proposed by the Commission

Amendment

(i) measures to protect the health of children or other sensitive population groups.

(i) measures to protect the health of children or other sensitive population **and vulnerable** groups;

Amendment 283
Proposal for a directive
Annex VIII – Section B – point 2 – point i a (new)

Text proposed by the Commission

Amendment

(ia) measures by health authorities to encourage behavioural changes.

Amendment 284
Proposal for a directive
Annex VIII – Section B a (new)

Text proposed by the Commission

Amendment

Ba. Guidance and minimum requirements for analysing the projected impact of air quality plans or air quality roadmaps and pollution abatement measures

1. Member States shall rely on objective and scientific methods to assess the projected impact of air quality plans, air quality roadmaps and pollution abatement measures. Where relying on projected impacts of pollution abatement measures for the delivery of compliance with air quality objectives, those projections shall include a low level of

uncertainty.

2. Air quality plans or air quality roadmaps shall contain enough information in sufficient detail in order to justify the impact assessment, including:

(a) a description of the method used for forecasting the evolution of air quality;

(b) an explanation of whether the projections are based on objective data or on assumptions; when relying on assumptions, a sensitivity analysis to explain best-case, most likely and worst-case scenarios;

(c) background documents and information used for the assessment;

(d) an assessment of the individual impact of each air pollution abatement measure on emission reductions and related concentration reductions and the relevant assumptions;

(e) an assessment of the combined impact of the air pollution abatement measures included in the air quality plan or air quality roadmap on emission reductions and related concentration reductions and the relevant assumptions.

3. The impact assessment shall include the margin of uncertainty of the projections, and the margin of confidence on factors, such as the real world emissions of vehicles or stoves, or the uncertainty about the impact of voluntary measures aiming at pushing behaviour changes.

4. In line with the obligation to achieve compliance in the shortest time possible, when modelling future scenarios, whenever the projections extend beyond 3 years, the results shall be shown for each year of the projected period.

5. Sensitivity scenarios shall be included, describing the upper and lower confidence intervals in light of possible

variations in the different assumptions and description of the best-case, most likely and worst-case scenarios.

Amendment 285
Proposal for a directive
Annex VIII a (new)

Text proposed by the Commission

Amendment

ANNEX VIIIa

***EMERGENCY MEASURES TO BE
CONSIDERED FOR INCLUSION IN
THE SHORT-TERM ACTION PLANS
REQUIRED UNDER ARTICLE 20***

1. Measures to be taken in the short term aimed at addressing the sources which contribute to the risk of the relevant limit values, target values or alert threshold being exceeded:

(a) restricting the circulation of vehicles;

(b) low-fare or fare-free public transportation;

(c) implementing stricter emission limits;

(d) suspending operations at construction works;

(e) street cleaning;

(f) flexible work arrangements;

(g) introducing driving restrictions around locations frequented by sensitive population and vulnerable groups.

3. Proactive steps to be taken in order to provide specific air pollution, health and health protection information, both to the general public and to sensitive population and vulnerable groups, by means of easily accessible, online or offline communication channels, as soon as exceedances of information and alert thresholds and of limit values and target values are projected.

Amendment 286
Proposal for a directive
Annex IX – point 1 – point b

Text proposed by the Commission

(b) measured concentrations of all pollutants presented according to the appropriate periods as laid down in Annex I;

Amendment

(b) measured concentrations of all pollutants **and how they compare with the most recent maximum concentrations recommended by the WHO**, presented according to the appropriate periods as laid down in Annex I;

Amendment 287
Proposal for a directive
Annex IX – point 1 – point c – introductory part

Text proposed by the Commission

(c) information on observed exceedance(s) of any limit value, ozone target value, and average exposure reduction obligation, including at least:

Amendment

(c) information on observed exceedance(s) of any limit value, ozone target value, **information threshold, alert threshold**, and average exposure reduction obligation, including at least:

Amendment 288
Proposal for a directive
Annex IX – point 1 – point d – point i

Text proposed by the Commission

(i) the health impacts of air pollution on general population,

Amendment

(i) the health impacts of air pollution, **and specifically of each pollutant measured under this Directive**, on general population,

Amendment 289
Proposal for a directive
Annex IX – point 1 – point d – point ii

Text proposed by the Commission

(ii) the health impacts of air pollution on vulnerable groups,

Amendment

(ii) the health impacts of air pollution, **and specifically of each pollutant measured under this Directive**, on vulnerable groups,

Amendment 290
Proposal for a directive
Annex IX – point 1 – point d – point iv

Text proposed by the Commission

(iv) recommended precautions to be taken,

Amendment

(iv) recommended precautions to be taken, ***broken down into precautions to be taken by the general population and by sensitive population and vulnerable groups, and actions to relieve the symptoms once exposure has occurred,***

Amendment 291
Proposal for a directive
Annex IX – point 2 – point d

Text proposed by the Commission

(d) information on preventive ***action*** to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions;

Amendment

(d) information on ***short-term measures and preventive actions*** to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions ***and limitations on exposure;***

EXPLANATORY STATEMENT

1. INTRODUCTION

According to the World Health Organization (WHO), air pollution is the biggest environmental threat to human health³, causing an estimated 300 000 premature deaths per year in the EU alone. The European Environment Agency (EEA) has identified the most harmful pollutants to human health in Europe to be particulate matter (PM), nitrogen dioxide (NO₂) and ground-level ozone (O₃). Fine particulate matter (PM_{2.5}) alone was responsible of 238 000 premature deaths in the EU-27 in 2020.

Scientific evidence shows that there is no safe threshold for the exposure to pollutants. These substances can have significant impact on our health, leading to debilitating diseases and causing conditions such as asthma, cardiovascular diseases, chronic obstructive pulmonary disease, pneumonia, stroke, diabetes, lung cancer and dementia. Although everyone is affected by air pollution, certain groups are especially sensitive and vulnerable and more likely to experience adverse health effects, including those with specific pre-existing health conditions, pregnant women, newborns, children, the elderly, people living with disabilities or people living in poverty.

Air pollution also has a significant impact on terrestrial and aquatic ecosystems. Acid deposition, resulting from the emissions of SO₂ and NO_x, can cause acidification of soil and water, which can negatively affect plant growth and aquatic life. Elevated levels of O₃ can damage agricultural crops, forest and plants by reducing growth rates, lowering yields, and by affecting biodiversity and ecosystem services. Pollution can also lead to eutrophication, where excess nutrients, such as nitrogen and phosphorus, in the air or water lead to excessive growth of algae and reduce oxygen availability.

Air pollutants come from a wide range of sources, from anthropogenic, natural or mixed origin. Emissions from human activities are the primary sources of air pollution in Europe, and are generated by a variety of sectors across the economy: PM is emitted mainly by heating, industry and transport; oxides of nitrogen (NO_x) and NO₂ are emitted by transport and energy production; most of sulphur oxide (SO_x) emissions come from energy production and non-road transport; almost all ammonia (NH₃) emissions come from agriculture. The transport sector is one of the major contributors to air pollution, particularly in urban areas.

Although there is a downward trend in the emissions of all key pollutants in the EU-27, with the exception of NH₃, air pollution is still a significant burden and most of the European cities exceed the WHO's recommended limits for human health. According to the EEA, in 2020, 96% of the EU urban population exposed to PM_{2.5} concentrations above the WHO guidelines, 95% for O₃ and 89% for NO₂⁴.

2. AIR QUALITY AND EU POLICIES

³ WHO global air quality guidelines, World Health Organization, 2021

⁴ Europe's air quality status 2022, EEA, 2022

The EU has a long history of implementing air quality legislation. Starting with the first air quality directive in 1980, the EU has continued to introduce new and more stringent legislation over the years.

The current EU policy framework on air quality is based on three main pillars. The first one is composed by the Ambient Air Quality Directives (AAQ Directives)⁵, setting air quality standards and defining common methods for its monitoring and assessment. The second comprises the Directive on the reduction on national emissions of certain atmospheric pollutants (NEC Directive)⁶, which sets binding emission reduction targets for Member States (MS) on key pollutants and their precursors. The third pillar groups several EU legislative acts regulating air pollution from specific sources in sectors such as road transport, industry or domestic heating⁷.

As part of the European Green Deal, the Zero Pollution Action Plan was presented in 2021, which comprises a series of measures to reduce pollution across the EU, including in air, water, and soil. The plan aims to set stricter pollution limits, promote cleaner technologies, and create a framework for addressing pollution challenges in a more coordinated and integrated way. It also focuses on reducing exposure to pollutants and its impact on ecosystems, establishing targets for 2030, such as to reduce by more than 55% the health impacts (premature deaths) of air pollution and to reduce by 25% the EU ecosystems where air pollution threatens biodiversity.

The revision of the AAQ Directives is one of key actions of the Zero Pollution Action Plan.

3. REVISION OF THE AMBIENT AIR QUALITY DIRECTIVES

The current AAQ Directives are based on air quality standards that are 15 to 20 years old. The Rapporteur welcomes the timely proposal of the European Commission (EC) to revise the AAQ Directives, that represents a substantial improvement from the current ones, covering some of the findings from their Fitness Check of the AAQ Directives⁸ and also including some of the requests made by the European Parliament in the resolution on the implementation of the AAQ Directives⁹.

The Rapporteur considers that the EC proposal has some positive aspects, such as the merging of the two Directives into one to clarify and simplify the rules, the introduction of a regular review mechanism of the air quality standards in line with the latest scientific evidence, the

⁵ Directive 2008/50/EC of 21 May 2008 on ambient air quality and cleaner air for Europe and Directive 2004/107/EC of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air

⁶ Directive (EU) 2016/2284 of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC

⁷ Including Directives 2010/75/EU (on industrial emissions), 2015/2193/EU (on medium combustion plants), 98/70/EC (on fuel quality), 2016/802/EU (on sulphur content in liquid fuels), 2009/125/EC (on eco-design), as well as EC Regulations 443/2009 and 510/2011 (on emission standards for vehicles), Regulations (EU) 2016/427, (EU) 2016/646, and (EU) 2017/1154 (on real driving emissions), and Regulation (EU) 2016/1628 (on non-road mobile machinery)

⁸ Fitness Check of the Ambient Air Quality Directives, European Commission, 2019

⁹ European Parliament resolution of 25 March 2021 on the implementation of the Ambient Air Quality Directives: Directive 2004/107/EC and Directive 2008/50/EC

creation of monitoring supersites to control “emerging” pollutants, or the introduction of new provisions on access to justice and compensation.

The current revision of the AAQ Directives constitutes a once in a generation opportunity for the public and the planetary health, therefore the Rapporteur suggests changes in some key areas in order to increase the level of ambition and re-inforce the proposal.

3.1. Level of ambition

The WHO published their new air quality guidelines in 2021¹⁰, following a systematic review of the latest scientific evidence on health effects of air pollution. According to the Impact Assessment that accompanies the EC proposal, the net benefits of aligning the EU limit values to the current WHO AQ Guidelines would amount to more than EUR 38 billion and the corresponding mitigation costs estimated are EUR 7 billion in 2030. Air pollution is among the most important causes of cancer, in particular lung cancer. Stricter air quality standards would also contribute to the objectives of Europe’s Beating Cancer Plan¹¹, published in December 2021.

For these reasons, the Rapporteur proposes a full alignment of EU limit values with the 2021 WHO Air Quality Guidelines by 2030. The text is also strengthened with the inclusion of explicit references to the UN General Assembly resolution on the human right to a clean, healthy and sustainable environment and the individual right to a clean and healthy air as a direct implementation of the EU Charter of Fundamental Rights.

Although the new “regular review” mechanism introduced in Art. 3 of the proposal is an improvement, the Rapporteur believes it is important to clarify that any further proposal should comply with the “non-regression principle” to avoid a step backwards in the protection of human health in the future.

Given that sensitive populations and vulnerable groups bear a disproportionate burden, the Rapporteur thinks it is important to protect them better from the impact of air pollution. For that reason, information thresholds have been added for SO₂, NO_x and PM. The public should be informed about levels of pollution in the air that may affect them, so that they can take measures to protect themselves, before the alert thresholds, which require public authorities to take urgent steps, are activated.

3.2. Assessment of air pollution

Poor air quality is a contributing factor to health inequalities, thus threatening equity inside and across MS. To guarantee equal protection for all, it is important that air quality is measured in the appropriate locations and from all emission sources. The EC Proposal allows to assess the average exposure indicator (AEI) on a very small number of sampling points based on urban background locations, which would result in an estimate of exposure that does not reflect real exposure of inhabitants. For that reason, the Rapporteur suggests to improve and clarify definitions of monitoring sites, in line with scientific knowledge, including new definitions for “traffic location”, “industrial location” and “residential location” and to require the assessment

10 WHO 2021

11 Europe’s Beating Cancer Plan, European Commission, 2021

of the AEI from all sampling points.

The Rapporteur also proposes to set a smaller geographical area for the assessment of AEI and the average exposure reduction obligation. The currently proposed NUTS 1 is too large to detect relevant exposure disparities. Establishing the assessment at NUTS 2 rather than NUTS 1 level would reduce the chance that significant parts of the population are still exposed to levels close to the limit value even when the exposure reduction objectives are met. NUTS 2 areas correspond to administrative areas in MS, which would facilitate the authorities the compliance to average exposure reduction obligation.

3.3. Air Quality Plans and enforcement

Air Quality Plans (AQPs) are the cornerstone of the AAQ Directive, as they are key for compliance and enforcement. AQPs are required to be developed and updated to improve air quality in those zones where exceedances occur. The current proposal also introduces the requirement for MS to prepare an AQP ahead of 2030, setting out measures and policies to comply with the new air quality standards.

The Rapporteur believes it is necessary to clarify the distinction between plans that need to be adopted before or after the attainment deadline, which is why a definition of “Preparatory Air Quality Plan” has been proposed. The Rapporteur also suggests to introduce an earlier transposition date for the provisions on adoption of Preparatory AQPs. This change would enable MS to make a more rational use of their resources and start implementing policies well in advance to achieve compliance with the new air quality standards by 2030 at the latest.

The Rapporteur believes it is necessary to introduce changes to Art. 19 and Annex VIII on AQPs, to ensure that competent authorities consider and assess the potential impact of all relevant air pollution abatement measures and not only a few policies that have already been pre-selected without scientific evidence. The suggested amendments would require competent authorities to consider all effective pollution abatement measures, while respecting the principle of subsidiarity.

3.4. Public information

As reported by the European Court of Auditors¹², public information on air quality in the EU is scarce, unclear and hard to find. There are considerable differences in the design of air quality indices across Europe, leading to divergent assessments for the same air quality levels, and therefore reduced credibility. In this light, the Rapporteur believes it is necessary to introduce a requirement in the AAQ Directive to guarantee the harmonisation of air quality indices across all MS.

¹² Air pollution: Our health still insufficiently protected, Special Report 23/2018, European Court of Auditors, 2018

ANNEX: LIST OF ENTITIES OR PERSONS FROM WHOM THE RAPPOREUR HAS RECEIVED INPUT

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the draft report:

Entity and/or person
Air Pollution & Climate Secretariat (AirClim)
All Policies for a Healthy Europe Coalition
Association Internationale de la Mutualité (AIM)
Belgian Federation of Independent Health Insurance Funds (MLOZ)
Clean Air Fund
ClientEarth
Ecologistas en Acción
Eurocities
European Cancer Patient Coalition
European Commission, DG Environment
European Environmental Agency (EEA)
European Environmental Bureau
European Federation for Transport and Environment (T&E)
European Federation of Allergy and Airways Diseases Patients' Associations (EFA)
European Public Health Alliance (EPHA)
European Respiratory Society (ERS)
Exodraft
Generalitat de Catalunya
Health and Environment Alliance (HEAL)
International Society for Environmental Epidemiology (ISEE)
ISGlobal
Ministry for the Ecological Transition and the Demographic Challenge of Spain (MITECO)
Permanent Representation of Spain to the EU
Regione Lombardia
Standing Committee of European Doctors (CPME)
Suez
World Health Organization (WHO)

MINORITY POSITION

MEPs Gianna GANCIA, Rosanna CONTE, Gianantonio DA RE, Elisabetta DE BLASIS, Pietro FIOCCHI, Danilo Oscar LANCINI, Matteo ADINOLFI, Fulvio MARTUSCIELLO, Aldo PATRICIELLO, Francesca PEPPUCCI, Maria Veronica ROSSI, Massimiliano SALINI, Silvia SARDONE, Annalisa TARDINO.

Minority Position under Rule 55.4 Rules of Procedure

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ambient air quality and cleaner air for Europe (recast)

While fully sharing the ambition to improve air quality, it is of utmost importance that the reduction of air pollutants follows a realistic and pragmatic approach.

The Commission proposal is based on an impact assessment with structural errors affecting the feasibility of achieving the proposed limits, due to the use of simulation models that underestimate the actual values provided by the sampling points in 2020. Therefore, the lowering of the values proposed by the rapporteur would not be achievable even with the application of the best available technologies and would require drastic reductions in key economic activities. In addition, the directive's timelines would be more realistic by postponing the date for the first review to at least 2030 as well as the date of the entry into force of the new values to 2040.

Additionally, numerous other elements raise significant concerns. Particularly, the maintenance of the limit to only once for 5 years regarding the possible postponement of the deadline in Article 18 and the introduction of the presumption of damage caused without any causal link, by shifting the burden of proof of non-causality onto the competent public authority, in Article 28.

27.6.2023

ANNEX: LETTER FROM THE COMMITTEE ON LEGAL AFFAIRS

Mr Pascal Canfin
Chair
Committee on the Environment, Public Health and Food Safety
BRUSSELS

Subject: Opinion on a proposal for a directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe (recast)
(COM(2022)0542 – C9-0364/2022 – 2022/0347(COD))

Dear Mr Chair,

The Committee on Legal Affairs has examined the proposal referred to above pursuant to Rule 110 on recasting of Parliament's Rules of Procedure.

Paragraph 3 of that Rule reads as follows:

“If the committee responsible for legal affairs considers that the proposal does not entail any substantive changes other than those identified as such in the proposal, it shall inform the committee responsible for the subject matter thereof.

In such a case, over and above the conditions laid down in Rules 180 and 181, amendments shall be admissible within the committee responsible for the subject-matter only if they concern those parts of the proposal which contain changes.

However, amendments to parts of the proposal which remain unchanged may, by way of exception and on a case-by-case basis, be accepted by the Chair of the committee responsible for the subject matter if he or she considers that this is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Such reasons must be stated in a written justification to the amendments.”

Following the here attached opinion of the Consultative Working Party of the Legal Services of the Parliament, the Council and the Commission, which has examined the recast proposal, and in keeping with the recommendations of the Rapporteur, the Committee on Legal Affairs considers that the proposal in question does not include any substantive changes other than those identified as such and that, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, the proposal contains a straightforward codification of the existing text, without any change in its substance.

In conclusion, at its meeting of 27 June 2023, the Committee on Legal Affairs unanimously¹ decided to recommend that the Committee on the Environment, Public Health and Food Safety, as the committee responsible, proceed with the above proposal in accordance with Rule 110.

Yours sincerely,

Adrián Vázquez Lázara

Encl.: Opinion of the Consultative Working Party.

¹ The following were present for the final vote: Adrián Vázquez Lázara (Chair), Sergey Lagodinsky (Vice-Chair), Marion Walsmann (Vice-Chair), Lara Wolters (Vice-Chair), Raffaele Stancanelli (Vice-Chair), François Alfonsi (for Marie Toussaint pursuant to Rule 209(7)), Isabel Carvalhais (for Maria Manuel Leitão Marques pursuant to Rule 209(7)), Ilana Cicurel, Angel Dzhambazki, Pierre Karleskind, Gilles Lebreton, Karen Melchior, Luděk Niedermayer (for Jiří Pospíšil pursuant to Rule 209(7)), Emil Radev, René Repasi, Javier Zarzalejos.

ANNEX: OPINION OF THE CONSULTATIVE WORKING PARTY OF THE LEGAL SERVICES OF THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION



CONSULTATIVE WORKING PARTY
OF THE LEGAL SERVICES

Brussels, 7 June 2023

OPINION

**FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION**

**Proposal for a directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe
COM(2022)0542 of 26.10.2022 – 2022/0347(COD)**

Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 4 and 12 April 2023 for the purpose of examining the aforementioned proposal submitted by the Commission.

At those meetings², an examination of the proposal for a Directive of the European Parliament and of the Council recasting Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air and Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe resulted in the Consultative Working Party's establishing, by common accord, as follows.

1. The following should have been marked with the grey-shaded type generally used for identifying substantive amendments:

- in recital 9, the replacement of the term '*modelling techniques*' with the term '*modelling applications*';
- the entire text of recital 29 of Directive 2008/50/EC;
- the entire text of recital 25 of Directive 2008/50/EC;
- in Article 4, point 26, the deletion of the words '*which is not to be exceeded*';
- in Article 4, point 31, the deletion of the words '*fixed on the basis of scientific knowledge*';
- in Article 4, point 32, the adding of the words '*and vulnerable groups*';
- in Article 9(5), the deletion of the words '*and the number of sampling points*';

² The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

- in Article 9(6), the deletion of the word ‘*or*’;
 - in Article 11(1), the deletion of the words ‘*and criteria*’;
 - in Article 13(2), the adding of the words ‘*as laid down in Section 2, Point B, of Annex I*’;
 - in Article 13(5), the deletion of the words ‘*for PM_{2,5}*’;
 - in Article 13(6), the deletion of the words ‘*shall apply*’;
 - in Article 18(1)(a), the replacement of the reference made to ‘*Article 23*’ with a reference to ‘*Article 19(4)*’ and the adding of the words ‘*and meeting the requirements listed in Article 19(5) to (7)*’;
 - in Article 19(5), fourth subparagraph, the deletion of the words ‘*or implemented*’ and ‘*and implement*’ and the adding of the words ‘*or air quality standards*’;
 - in Article 21(1), first subparagraph, the adding of the word ‘*ozone*’;
 - in Article 23(2), introductory wording, the deletion of the word ‘*nine*’;
 - in Article 23(3), the deletion of the words ‘*on a provisional basis*’;
2. Article 15(2) of Directive 2008/50/EC should have been present in the draft recast text. The proposed deletion of that paragraph should have been identified as a formal adaptation.
3. Article 17(2) and (3) of Directive 2008/50/EC should have been present in the draft recast text. The proposed deletion of those paragraphs should have been identified as a substantive amendment.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.

F. DREXLER
Jurisconsult

E. FINNEGAN
Jurisconsult

D. CALLEJA CRESPO
Director-General

25.5.2023

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council Proposal for a Directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe (recast)

(COM2022 – C9-0364/2022 – 2022/0347(COD))

Rapporteur for opinion: Vera Tax

SHORT JUSTIFICATION

All people have a right to breathe clean air. Air pollution is one of the most serious forms of pollution, which often persists for long periods of time with devastating long-term effects on human health, the environment and society as a whole.

Air pollution continues to be the number one environmental cause of early death in the European Union. Every year, approximately 300 000 persons die prematurely due to air pollution, and many more suffer from a significant number of noncommunicable diseases such as asthma, cardiovascular problems, chronic obstructive pulmonary disease and lung cancer. Women, children, the elderly, residents in heavily polluted areas and workers exposed to high levels of pollution in their daily lives, not least in the transport sector, are particularly impacted.

As one of the main sources of air pollution, the transport sector plays a particularly important role in the Union's efforts to improve air quality. Shifting to zero-emission technologies, vehicles and fuels is imperative to reduce transport-induced emissions and air pollutant concentrations, notably in urban areas and in ports.

Change is possible. Political will, investments and efficient policies are necessary to deliver the societal and industrial changes that are required to tangibly reduce and eliminate air pollution.

The European Union has succeeded in reducing the concentration of air pollutants over the past two decades. The continued and improved reduction of air pollution benefits both the wellbeing of humans and the environment and at societal level the benefits far outweigh the costs involved. Since the year 2000, air polluting emissions in the EU have decreased significantly thanks to EU and national legislation, whilst the registered GDP has grown by approximately 30 percent. Hence, the Union has successfully decoupled the reduction of air pollution and economic growth.

However, while the measures taken have resulted in overall emissions reductions, exceedances of some of the most harmful pollutants are still widespread and persistent. Therefore, it is necessary to revise and update of the main EU air quality policy instruments - the ambient air quality directives (AAQDs).

The 2019 AAQDs fitness check conducted by the European Commission has identified a string of deficiencies that hamper the full potential of the directives to bring about the intended results. To this end, the current revision seeks to address the following key weaknesses of these policy instruments;

- a) legislative simplification by merging the two directives into one;
- b) alignment of EU air quality standards more closely with most recent WHO recommendations;
- c) improvement of the legislative framework notably with regards to air quality assessment and monitoring, governance and enforcement as well as penalties, public information and access to justice and compensation;

Your Rapporteur welcomes this much-needed systemic update of the AAQDs, not least with regards to the ongoing trend of increased urbanisation in all Member States which carries with it the inherent risk of even more air pollution linked to growing transportation and industrial output. The AAQDs revision will only be successful if it is closely linked to the objectives of the European Green Deal, the Zero Pollution Action Plan as well as ongoing and planned policies enhancing the sustainability and greening the transport sector. To this end, your Rapporteur proposes a number of amendments that intend to strengthen those aspects of the new directive, specifically in relation to transport-related measures.

This includes strengthening the transport-related elements that will be part of the information included in Member States' air quality plans for the improvement of ambient air quality. Notably, where the transport sector is part of the emission sources responsible for pollution, information on air pollution shall be broken down and reported per each mode of transport.

Member States shall also be obliged to report on all air pollution abatement measures that stem from the reduction of emissions from road, maritime, and air transport through the use of alternative fuels and deployment of alternative fuels infrastructure, as well as the use of economic incentives to accelerate their take-up.

Furthermore, information shall be provided on all measures to reduce air pollution in hotspots, including in ports, notably through the deployment of on-shore power infrastructure for ships at berth, as well as measures to better protect the health of workers who are exposed to unhealthy levels of air pollution in their profession. Also information regarding existing and planned zero-emission zones and data relevant for the reductions of emissions and pollutant concentrations contained in Sustainable Urban Mobility Plans shall be provided.

Your Rapporteur believes it is necessary to improve the functioning of the sampling points for air pollutants, especially in locations where pollution levels are predominately determined by concentrations of traffic emissions from nearby roads.

Moreover, your Rapporteur agrees on the importance of ensuring that that the information collected on air pollution is sufficiently representative and comparable across the Union. Therefore, the Commission should adopt guidance and templates concerning the content, structure and format of the Member States' air quality indexes.

In order to ensure that the AAQDs are fully aligned with the latest scientific findings on air

pollutants, your Rapporteur proposes that the Commission regularly commissions an independent review of the scientific evidence related to air pollutants and their effects on human health and the environment. The World Health Organization shall be closely involved in this process.

Finally, the Rapporteur considers it extremely important that citizens in the Union have the same opportunities to access information and data on air pollution and can have access to justice as a group or individual. A solid framework that allows a swift pathway for citizens to claim compensation is required. The Rapporteur welcomes the conditions to access justice presented by the Commission, but emphasises that this will only be an effective and reliable tool if the conditions work in practice in the daily lives of citizens.

AMENDMENTS

Amendment 1

Proposal for a directive Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) In December 2020, the Commission presented its Sustainable and Smart Mobility Strategy, advocating for increasing the modal shares of collective transport, walking and cycling, as well as automated, connected and multimodal mobility, in order to significantly lower pollution and congestion from transport, especially in cities, and improve the health and well-being of citizens.

Amendment 2

Proposal for a directive Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) In the 2005 impact assessment prior to the proposal of the current

Ambient Air Quality directive, the Commission assessed the direct costs of complying with their proposal for the directive at between €5 and €8 billion, and the monetised health benefits at between €37 to €119 billion per annum in 2020, thereby concluding that benefits of the air quality policy greatly exceeded implementation cost.

Amendment 3

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) The Zero Pollution Action Plan also sets out a vision for the year 2050, where air pollution is reduced to levels no longer considered harmful to health and natural ecosystems. To this end, a ***staged*** approach towards setting current and future EU air quality standards should be pursued, establishing intermediate air quality standards for the year 2030 and beyond, ***and developing a perspective for*** alignment with the WHO Air Quality Guidelines by ***the year 2050*** at the latest based on a regular review mechanism to take into account the latest scientific understanding. Given the links between pollution reduction and decarbonisation, the long-term objective to achieve the zero pollution ambition should be pursued hand in hand with reduction of greenhouse gas emissions as set by Regulation (EU) 2021/1119 of the European Parliament and of the Council⁴².

⁴² Regulation (EU) 2021/1119 of the

Amendment

(4) The Zero Pollution Action Plan also sets out a vision for the year 2050, where air pollution is reduced to levels no longer considered harmful to health and natural ecosystems. To this end, a ***progressive*** approach towards setting current and future EU air quality standards should be pursued, establishing intermediate air quality standards for the year 2030 and beyond, ***ensuring the full alignment of EU air quality standards*** with the WHO Air Quality Guidelines ***as soon as possible and*** by 2050 at the latest, based on a regular review mechanism to take into account the latest scientific understanding. ***Since transport emissions are the main source for air pollution in urban and coastal environment and*** given the links between pollution reduction and decarbonisation, the long-term objective to achieve the zero pollution ambition should be pursued hand in hand with reduction of greenhouse gas emissions as set by Regulation (EU) 2021/1119 of the European Parliament and of the Council⁴² ***and through the implementation of the ‘Fit for 55’ legislative package and its relevant effects on air pollution.***

⁴² Regulation (EU) 2021/1119 of the

European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1–17).

European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1–17).

Amendment 4

Proposal for a directive

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) In September 2021, the World Health Organization (WHO) released new Air Quality Guidelines, based on a comprehensive synthesis of the scientific evidence on health effects of air pollution. This Directive takes into account the latest scientific understanding on the need to fully align the Union air quality standards with the most recent WHO guidelines in order to fulfil the overall objectives of the Zero Pollution Action Plan.

Amendment 5

Proposal for a directive

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4 a) The societal benefits of continued and improved reduction of air pollution far outweigh the costs involved. Since the year 2000, air-polluting emissions in the EU have decreased significantly thanks to Union and national legislation, whilst the registered GDP has grown by approximately 30 percent. Hence, the Union has successfully decoupled the reduction of air pollution from economic growth.^{1a}

Amendment 6

Proposal for a directive Recital 5

Text proposed by the Commission

(5) In taking the relevant measures at Union and national level to achieve the zero pollution objective for air pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’ and the ‘polluter pays principle’ established in the Treaty on the Functioning of the European Union, and the ‘do no harm’ principle of the European Green Deal. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment, the well-being of citizens, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy poverty; food security and affordability; the development of sustainable and smart mobility and transport solutions; the impact of behavioural changes; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through appropriate education and training programmes; best available and most recent scientific evidence, in particular the findings reported by the WHO; the need to integrate air pollution related risks into investment and planning decisions; cost-effectiveness and technological neutrality

Amendment

(5) In taking the relevant measures at Union and national level to achieve the zero pollution objective for air pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’ and the ‘polluter pays principle’ established in the Treaty on the Functioning of the European Union, and the ‘do no harm’ principle of the European Green Deal. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment, the well-being of citizens, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy ***and transport*** poverty; food security and affordability; the development of sustainable and smart mobility and ***the modal shift towards such*** transport solutions ***as well as their infrastructure, including alternative fuel infrastructure; economic incentives for individuals and companies to invest in vehicles with lower air pollution emissions***; the impact of behavioural changes; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through appropriate education and training

in achieving air pollutant emission reductions; and progression over time in environmental integrity and level of ambition.

programmes, ***since low-income and vulnerable groups tend to be disproportionately affected by pollution***; best available and most recent scientific evidence, in particular the findings reported by the WHO; the need to integrate air pollution^{1a} related risks into investment and planning decisions; cost-effectiveness and technological neutrality in achieving air pollutant emission reductions; and progression over time in environmental integrity and level of ambition.

1a

***<https://www.eea.europa.eu/publications/unequal-exposure-and-unequal-impacts>
<https://airqualitynews.com/health/air-pollution-has-twice-the-impact-on-lung-function-for-lower-income-households/>
https://www.london.gov.uk/sites/default/files/aether_updated_london_air_pollution_exposure_final.pdf***

Amendment 7

Proposal for a directive Recital 7

Text proposed by the Commission

(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment and technological development. Based on the review, the Commission should assess whether applicable air quality standards are still appropriate to achieve the objectives of this Directive. The first review should be carried out by 31/12/2028 to assess whether air quality standards need to be updated based on the latest scientific information.

Amendment

(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment and technological development. Based on the review, the Commission should assess whether applicable air quality standards are still appropriate to achieve the objectives of this Directive. The first review should be carried out by 31/12/2028 to assess whether air quality standards need to be updated based on the latest scientific information. ***The assessment should take into account the latest scientific knowledge on pollutants of emerging concerns and assess the opportunity to***

include air quality standards on those pollutants in the regulation.

Amendment 8

Proposal for a directive Recital 8

Text proposed by the Commission

(8) A common approach to the assessment of ambient air quality should be followed by applying common assessment criteria. When assessing ambient air quality, account should be taken of the size of populations and ecosystems exposed to air pollution. It is therefore appropriate to classify the territory of each Member State into zones reflecting the population density.

Amendment

(8) A common approach to the assessment of ambient air quality should be followed by applying common assessment criteria. When assessing ambient air quality, account should be taken of the size of populations and ecosystems exposed to air pollution. It is therefore appropriate to classify the territory of each Member State into zones reflecting the population density *and spatial diversity*

Amendment 9

Proposal for a directive Recital 11

Text proposed by the Commission

(11) It is important that pollutants of emerging concern, such as ultrafine particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in order to support scientific understanding of their effects on health and the environment, as recommended by the WHO.

Amendment

(11) It is important that pollutants of emerging concern, such as ultrafine particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in order to support *further* scientific understanding of their effects on health and the environment, as recommended by the WHO, *and that, where found necessary, appropriate limit values for these pollutants are established.*

Amendment 10

Proposal for a directive Recital 13

Text proposed by the Commission

(13) In order to ensure that the information collected on air pollution is sufficiently representative and comparable across the Union, it is important that standardised measurement techniques and common criteria for the number and location of measuring stations are used for the assessment of ambient air quality. Techniques other than measurements can be used to assess ambient air quality and it is therefore necessary to define criteria for the use and required accuracy of such techniques.

Amendment

(13) In order to ensure that the information collected on air pollution is sufficiently representative and comparable across the Union, it is important that standardised measurement techniques and common criteria for the number and location of measuring stations are used, ***based on Commission detailed guidelines***, for the assessment of ambient air quality. Techniques other than measurements can be used to assess ambient air quality and it is therefore necessary to define criteria for the use and required accuracy of such techniques.

Amendment 11

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission reduction measures at local, national and Union level, in particular when it comes to emissions from agriculture, industries, transport and energy generation. Therefore, emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards set for ambient air quality taking into account relevant World Health Organization standards, guidelines and programmes.

Amendment

(15) In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission reduction measures, ***for each category of the source of pollutants***, at local, national and Union level, in particular when it comes to emissions from agriculture, industries, transport and energy generation. Therefore, emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards set for ambient air quality taking into account relevant World Health Organization standards, guidelines and programmes. ***Member States should collect data on measures and technologies to combat emissions of harmful air pollutants and make available information on best practices.***

Amendment 12

Proposal for a directive Recital 15 a (new)

Text proposed by the Commission

Amendment

(15 a) Member States should carry out regular transport infrastructure quality checks to identify the areas in need of decongestion and infrastructure optimisation and take appropriate measures in those areas, with the support of EU funding where applicable.

Amendment 13

Proposal for a directive Recital 19

Text proposed by the Commission

Amendment

(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC)⁴⁵ has shown that limit values are more effective in bringing down pollutant concentrations than **target values**. With the aim of minimising harmful effects on human health, paying particular attention to vulnerable groups and sensitive populations, and the environment limit values should be set for the concentration of sulphur dioxide, nitrogen dioxide, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air. Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air.

(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC) has shown that limit values are more effective in bringing down pollutant concentrations than **other types of air quality standards**. With the aim of minimising harmful effects on human health, paying particular attention to vulnerable groups and sensitive populations, and the environment limit values should be set for the concentration of sulphur dioxide, nitrogen dioxide, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air. Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air.

⁴⁵ Fitness check of the Ambient Air Quality

⁴⁵ Fitness check of the Ambient Air Quality

Amendment 14

Proposal for a directive Recital 21 a (new)

Text proposed by the Commission

Amendment

(21 a) To prevent any exceedance of air pollution levels and to improve information to the public, an early warning system (EWS), including modelling tools and stress tests, should be established to identify any air quality problems in a Member State before they become systemic and risk that the concentrations of the pollutants are exceeded;

Amendment 15

Proposal for a directive Recital 25

Text proposed by the Commission

Amendment

(25) Air quality status should be maintained where it is already good, or improved. Where the standards for ambient air quality laid down in this Directive are at risk of not being met, or have not been met, Member States should take immediate action in order to comply with the limit values, average exposure reduction obligations and critical levels, and where possible, to attain the ozone target values and long-term objectives.

(25) Air quality status should be maintained where it is already good, or improved. Where the standards for ambient air quality laid down in this Directive are at risk of not being met, or have not been met. ***The Commission should draft recommendations with short- and long-term measures based on the source and category of pollution and*** Member States should take immediate ***and continuous*** action in order to comply with the limit values, average exposure reduction obligations and critical levels, and where possible, to attain the ozone target values and long-term objectives. ***Members States should notify the Commission of the***

immediate and continuous actions taken in accordance with the procedure included in this Directive.

Amendment 16

Proposal for a directive Recital 25 a (new)

Text proposed by the Commission

Amendment

(25 a) Air quality plans should include provisions for the reduction of voluntary idling of vehicles in order to reduce the emissions related to such idling.

Amendment 17

Proposal for a directive Recital 28 c (new)

Text proposed by the Commission

Amendment

(28c) The impact of maritime transport, particularly sulphur dioxide emissions, on the environment and on coastal communities, both in terms of ecosystem damage and public health could be alleviated with a comprehensive electrification of short-distance and urban maritime transport, in addition to zero-emission-requirements and infrastructure at berth.

Amendment 18

Proposal for a directive Recital 28 d (new)

Text proposed by the Commission

Amendment

(28d) For the Mediterranean, implementation of a SECA zone was

agreed at IMO level recently. While sulphur dioxide pollution is the most detrimental part of exhausts of maritime transport, NOx should not be forgotten. The European Union should therefore work further at IMO level to succeed in declaring the Mediterranean a NECA zone. NECA zones are effective in decreasing air pollution as the experience from North and Baltic Sea shows.

Amendment 19

Proposal for a directive Recital 29 a (new)

Text proposed by the Commission

Amendment

(29 a) In cases of significant transboundary air pollution caused by exceptional and unforeseen occurrences such as accidents or force majeure events in a third country, any exceedances due in whole or in part to such transboundary air pollution may, under the conditions laid down in this Directive, be subtracted by Member States when assessing compliance with air quality limit values and average exposure reduction obligations. The Member State should inform the Commission of any such subtractions and justify its reasons for them.

Amendment 20

Proposal for a directive Recital 29 b (new)

Text proposed by the Commission

Amendment

(29 b) Transboundary pollution requires transboundary cooperation and solutions. Therefore, with a view to further strengthen cooperation with third

countries, the Commission shall consider setting up a Structured Dialogue on transboundary air pollution between the Union and neighbouring third countries, to encourage and operationalise increased joint action to reduce transboundary air pollution and to stimulate the exchange of best practices and tangible solutions.

Amendment 21

Proposal for a directive Recital 30 a (new)

Text proposed by the Commission

Amendment

(30 a) Air pollutants emitted from the transport sector pose a particular risk to the health of people living in urban areas and near transport hubs. Therefore, Member States and the relevant regional and local authorities should consider implementing Sustainable Urban Mobility Plans and invest in zero-emission technologies and measures enabling a shift towards active, collective and sustainable transport systems aimed to reducing air pollution and road congestion, especially in urban areas.

Amendment 22

Proposal for a directive Recital 30 b (new)

Text proposed by the Commission

Amendment

(30 b) Relevant EU transport legislation such as European vehicle emission standards is instrumental to further reduce ambient air pollution from the transport sector and should be aligned with the objectives under the European Green Deal and the Zero Pollution Action Plan. Also the deployment of alternative fuels infrastructure, notably the provisions in the Alternative Fuels

Infrastructure Regulation pertaining to the deployment of shore-side electricity supply to ships in ports, as well as the deployment of electric recharging infrastructure for light- and heavy-duty vehicles, can deliver ambient air pollution reductions, particularly in urban areas and ports.

Amendment 23

Proposal for a directive Recital 30 c (new)

Text proposed by the Commission

Amendment

(30 c) Air pollution from maritime transport alone leads to over 50,000 premature deaths annually in the Union^{1b}. Therefore, Member States should take appropriate and effective measures to reduce air pollution in port and in port cities, in order to ensure an adequate protection of the health of residents and port workers.

^{1b} Brandt, J., Silver, J. D., and Frohn, L. M., Assessment of Health-Cost Externalities of Air Pollution at the National Level using the EVA Model System, CEEH Scientific Report No 3, 2011

Amendment 24

Proposal for a directive Recital 31

Text proposed by the Commission

Amendment

(31) Air quality plans should be developed and updated for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values, ozone target values or average exposure reduction obligations.

(31) Air quality plans should be developed and updated for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values, ozone target values or average exposure reduction obligations. Air

Air pollutants are emitted from many different sources and activities. To ensure coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared pursuant to Directive 2010/75/EU 2001/80/EC of the European Parliament and of the Council⁴⁸, Directive (EU) 2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council⁴⁹.

pollutants are emitted from many different sources and activities, **including the transport, industry, energy, agriculture and waste sectors**. To ensure coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared pursuant to Directive 2010/75/EU 2001/80/EC of the European Parliament and of the Council, Directive (EU) 2016/2284 **of the European Parliament and of the Council**, and Directive 2002/49/EC of the European Parliament and of the Council.

⁴⁸ **Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).**

⁴⁹ **Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12.)**

Amendment 25

Proposal for a directive Recital 32

Text proposed by the Commission

(32) Air quality plans should also be prepared ahead of 2030 where there is a risk that Member States will not attain the limit values or ozone target value by that date in order to ensure that levels of pollutants are reduced accordingly.

Amendment

(32) Air quality plans should also be prepared ahead of 2030 where there is a risk that Member States will not attain the limit values or ozone target value by that date in order to ensure that levels of pollutants are reduced accordingly. **The Commission should provide recommendations to Member States on the preparation of those plans.**

Amendment 26

Proposal for a directive Recital 33

Text proposed by the Commission

(33) Action plans should be drawn up indicating the measures to be taken in the short term where there is a risk of an exceedance of one or more alert thresholds in order to reduce that risk and to limit its duration. When the risk applies to one or more limit values or target values, Member States may, where appropriate, draw up such short-term action plans.

Amendment

(33) Action plans should be drawn up indicating the measures to be taken in the short term where there is a risk of an exceedance of one or more alert thresholds in order to reduce that risk and to limit its duration. When the risk applies to one or more limit values or target values, Member States may, where appropriate, draw up such short-term action plans. ***Those plans should take into account best practice recommendations from the Commission.***

Amendment 27

Proposal for a directive Recital 34

Text proposed by the Commission

(34) Member States should cooperate with one another if, following significant pollution originating in another Member State, the level of a pollutant exceeds, or is likely to exceed, any limit value, ozone target value, average exposure reduction obligation or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, may require coordination between neighbouring Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public. Where appropriate, Member States should pursue cooperation with third countries, with particular emphasis on the early involvement of candidate countries. The Commission should be ***timely informed of and invited to*** assist in any such cooperation.

Amendment

(34) Member States should cooperate with one another if, following significant pollution originating in another Member State, ***based also on transboundary measurements data***, the level of a pollutant exceeds, or is likely to exceed, any limit value, ozone target value, average exposure reduction obligation or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, may require coordination between neighbouring Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public. ***The Commission should provide support and assistance, including recommendations, in the preparation of these plans.*** Where appropriate, Member States should pursue cooperation with third countries, with particular emphasis on the early involvement of candidate countries.

The Commission should be **present**, assist **and oversee** any such cooperation.

Amendment 28

Proposal for a directive Recital 34 a (new)

Text proposed by the Commission

Amendment

(34 a) In order to facilitate cooperation and increase the support to Member States in cases of transboundary pollution, a Commission representative should be appointed as European Transboundary Coordinator, who should oversee and assist in the transboundary coordination between Member States as well as with third countries, and in all tasks relevant to this.

Amendment 29

Proposal for a directive Recital 35

Text proposed by the Commission

Amendment

(35) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air as well as air quality plans and short-term action plans should also be readily available to the public.

(35) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air, ***per category of the source of pollutants***, as well as air quality plans and short-term action plans should also be readily available to the public. ***In order for such information to be consistent and reliable, it is essential that Member States have sufficient air quality monitoring infrastructure deployed across cities and***

towns, in accordance with this Directive. Where such infrastructure is lacking or does not comply with the requirements laid down in the Commission guidelines, it should be put in place at the earliest possibility, including with the use of the EU funding opportunities.

Amendment 30

Proposal for a directive

Recital 39

Text proposed by the Commission

(39) As clarified by the case-law of the Court of Justice⁵¹, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice⁵², effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or a competent independent and impartial body to order interim measures to prevent a given instance of pollution. Therefore, it should be specified that legal standing should not be made conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and effective redress mechanisms, including injunctive relief as appropriate.

⁵¹ Case C–826/18, Judgment of the Court (First Chamber) of 14 January 2021; LB

Amendment

(39) As clarified by the case-law of the Court of Justice, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice, effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or a competent independent and impartial body to order interim measures to prevent a given instance of pollution. Therefore, it should be specified that legal standing should not be made conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and ***promptly accessible for both individuals and organisations. Moreover, it should provide for clear,*** adequate and effective redress mechanisms, including injunctive relief as appropriate.

⁵¹ Case C–826/18, Judgment of the Court (First Chamber) of 14 January 2021; LB

and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren; paragraphs 58 and 59.

⁵² Case C-416/10 Judgment of the Court (Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia životného prostredia. Križan, paragraph 109.

and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren; paragraphs 58 and 59.

⁵² Case C-416/10 Judgment of the Court (Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia životného prostredia. Križan, paragraph 109.

Amendment 31

Proposal for a directive

Recital 40

Text proposed by the Commission

(40) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Where damage to human health has occurred as a result of a violation of Articles 19, 20, 21 of this Directive, Member States should ensure that the individuals affected by such violations are able to claim and obtain compensation for that damage from the relevant competent authority. The rules on compensation, access to justice and penalties set in this Directive have the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. They thus seek to integrate into the policies of the Union a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development as laid down in Article 37 of the Charter, and puts into concrete terms the obligation to protect the right to life and to the integrity of the person laid down in Articles 2 and 3 of the Charter. It also contributes to the right to an effective remedy before a tribunal as laid down in Article 47 of the Charter, in relation to the protection of

Amendment

(40) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Where damage to human health has occurred as a result of a violation of Articles 19, 20, 21 of this Directive, Member States should ensure that the individuals affected by such violations are able to claim and obtain compensation for that damage from the relevant competent authority. ***In cases where it is proven that damage to human health has occurred as a direct result of breaches of air quality standards due to significant transboundary pollution originating in another Member State, that Member State should bear the responsibility for compensation, in line with the polluter pays principle.*** The rules on compensation, access to justice and penalties set in this Directive have the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. They thus seek to integrate into the policies of the Union a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development as

human health.

laid down in Article 37 of the Charter, and puts into concrete terms the obligation to protect the right to life and to the integrity of the person laid down in Articles 2 and 3 of the Charter. It also contributes to the right to an effective remedy before a tribunal as laid down in Article 47 of the Charter, in relation to the protection of human health.

Amendment 32

Proposal for a directive Recital 41 a (new)

Text proposed by the Commission

Amendment

(41 a) In order to ensure comparable conditions for data measurements between Member States, the Commission should provide detailed guidelines in the form of a delegated act setting out standardised requirements of sampling points as well as the location for new sampling points and existing sampling points which currently do not ensure sufficient level of air quality assessments.

Amendment 33

Proposal for a directive Article 1 – paragraph 1

Text proposed by the Commission

Amendment

1. This Directive sets out a zero pollution objective for air quality, so that within the Union air quality is progressively improved to levels no longer considered harmful to human health and natural ecosystems, as defined by scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.

1. This Directive sets out a zero pollution objective for air quality, so that within the Union air quality is progressively improved to levels no longer considered harmful to human health and natural ecosystems, as defined by ***the most up-to date state of the art*** scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.

Amendment 34

Proposal for a directive Article 1 – paragraph 2

Text proposed by the Commission

2. This Directive sets intermediate limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds, alert thresholds and long-term objectives (‘air quality standards’) to be met by the year 2030, and regularly reviewed thereafter in accordance with Article 3.

Amendment

2. This Directive sets intermediate limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds, alert thresholds and long-term objectives (‘air quality standards’) to be met ***as soon as possible and*** by the year 2030 ***at the latest***, and regularly reviewed thereafter in accordance with Article 3.

Amendment 35

Proposal for a directive Article 1 – paragraph 3

Text proposed by the Commission

3. Furthermore, this Directive contributes to achieving: ***the Union’s pollution-reduction, biodiversity and ecosystem objectives in accordance with the 8th Environment Action Programme, as set out in Decision (EU) 2022/591 of the European Parliament and of the Council⁵⁵.***

Amendment

3. Furthermore, this Directive contributes to achieving:

⁵⁵ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

⁵⁵ Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

Amendment 36

Proposal for a directive
Article 1 – paragraph 3 – point a (new)

Text proposed by the Commission

Amendment

(a) the Union’s pollution-reduction, biodiversity and ecosystem objectives in accordance with the 8th Environment Action Programme, as set out in Decision (EU) 2022/591 of the European Parliament and of the Council⁵⁵.

Amendment 37

Proposal for a directive
Article 1 – paragraph 3 – point b (new)

Text proposed by the Commission

Amendment

(b) enhanced synergies between the Union's air quality policy and other relevant Union policies, in particular climate and energy policies.

Amendment 38

Proposal for a directive
Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. In addition, this Directive protects the individual right to breathe clean and healthy air stemming from the Charter of Fundamental Rights of the European Union.

Amendment 39

Proposal for a directive
Article 2 – paragraph 1 – point 3

Text proposed by the Commission

3. measures for monitoring ambient air quality long-term trends and impacts of Union and national measures on ambient air quality ;

Amendment

3. ***standardised*** measures for monitoring ambient air quality, ***short- and long-term trends and impacts of Union and national measures, including transboundary measures,*** on ambient air quality ;

Amendment 40

Proposal for a directive Article 2 – paragraph 1 – point 4

Text proposed by the Commission

4. measures ensuring that the information on ambient air quality is made available to the public;

Amendment

4. measures ensuring that the information on ambient air quality ***and the sources of air pollutants*** is made available to the public, ***as well as relevant mitigation measures taken to reduce air pollution;***

Amendment 41

Proposal for a directive Article 2 – paragraph 1 – point 6

Text proposed by the Commission

6. measures promoting increased cooperation between Member States in reducing air pollution.

Amendment

6. measures promoting increased cooperation between ***the*** Member States in reducing air pollution ***monitored and overseen by the European Commission, including the European transboundary coordinator.***

Amendment 42

Proposal for a directive Article 3 – paragraph 1

Text proposed by the Commission

1. By 31 December 2028, and every 5 years thereafter, and more often if substantial new scientific findings point to the need for it, the Commission shall review the scientific evidence related to air pollutants and their effects on human health and the environment relevant to achieving the objective set in Article 1 and present a report with the main findings to the European Parliament and to the Council.

Amendment

1. By 31 December 2028, and every 5 years thereafter, and more often if substantial new scientific findings point to the need for it, the Commission shall **regularly** review the scientific evidence related to air pollutants and their effects on human health and the environment relevant to achieving the objective set in Article 1 and present a report with the main findings to the European Parliament and to the Council.

Amendment 43

Proposal for a directive

Article 3 – paragraph 2 – subparagraph 3 – introductory part

Text proposed by the Commission

For the purposes of the review, the Commission shall take into account, inter alia, the following:

Amendment

For the purposes of the review, the Commission shall **launch a public consultation and** take into account, inter alia, the following:

Amendment 44

Proposal for a directive

Article 3 – paragraph 2 – subparagraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(a a) information provided by the Earth Observation component of the EU Space Programme, in particular the Copernicus Atmosphere Monitoring Service (CAMS)

Amendment 45

Proposal for a directive
Article 3 – paragraph 2 – subparagraph 3 – point c

Text proposed by the Commission

Amendment

(c) air quality **situations** and associated impacts on human health and the environment in Member States,

(c) air quality **levels** and associated impacts on human health and the environment in Member States,

Amendment 46

Proposal for a directive
Article 3 – paragraph 2 – subparagraph 3 – point d

Text proposed by the Commission

Amendment

(d) progress made in implementing national and Union reduction measures for pollutants and improving air quality.

(d) progress made in implementing national and Union reduction measures for pollutants, **including the relevant elements of the Fit for 55 legislative package**, and improving air quality;

Amendment 47

Proposal for a directive
Article 3 – paragraph 2 – subparagraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(d a) relevant socio-economic aspects and societal costs.

Amendment 48

Proposal for a directive
Article 3 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the Commission considers it appropriate, as a result of the review, it shall present a proposal to revise air quality

4. Where the Commission considers it appropriate, as a result of the review, **and in particular where the latest review of the**

standards or to cover other air pollutants.

WHO Air Quality Guidelines finds health effects of pollutant concentrations that are below the current limit values, it shall present a proposal to revise air quality standards or to cover other air pollutants, in line with the non-regression principle.

Amendment 49

Proposal for a directive

Article 4 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1 a) ‘air quality standards’ means limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds, alert thresholds and long-term objectives;

Amendment 50

Proposal for a directive

Article 4 – paragraph 1 – point 3

Text proposed by the Commission

Amendment

(3) ‘level’ means the concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time;

(3) ‘level’ means the ***measured or modelled*** concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time;

Amendment 51

Proposal for a directive

Article 4 – paragraph 1 – point 16

Text proposed by the Commission

Amendment

(16) ‘agglomeration’ means a conurbation with a population in excess

deleted

of 250 000 inhabitants or, where the population is 250 000 inhabitants or fewer, with a given population density per km² to be established by the Member States;

Amendment 52

**Proposal for a directive
Article 4 – paragraph 1 – point 24 a (new)**

Text proposed by the Commission

Amendment

(24 a) ‘traffic location’ means a place whose pollution level is determined predominantly by the emissions from nearby traffic activity;

Amendment 53

**Proposal for a directive
Article 4 – paragraph 1 – point 24 b (new)**

Text proposed by the Commission

Amendment

(24 b) ‘industrial location’ means a place whose pollution level is determined predominantly by emissions from nearby single industrial sources or industrial areas with many sources. An ‘industry source’ is to be interpreted widely in this context and shall include but not be limited to sources of power generation, incinerators, waste treatment plants and ports;

Amendment 54

**Proposal for a directive
Article 4 – paragraph 1 – point 24 c (new)**

Text proposed by the Commission

Amendment

(24 c) ‘residential location’ means a place whose predominant use is residential, and whose concentration levels are higher than urban background locations as a result of the choice of residential heating sources in the area.

Amendment 55

Proposal for a directive Article 4 – paragraph 1 – point 28

Text proposed by the Commission

(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations throughout the territorial unit at NUTS 1 level as described in Regulation (EC) No 1059/2003, or, if there is no urban area located in that territorial unit, at rural background locations, and which reflects population exposure, used to check whether the average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met ;

Amendment

(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations, ***including traffic, industrial, and residential locations***, throughout the territorial unit at NUTS 1 level as described in Regulation (EC) No 1059/2003, or, if there is no urban area located in that territorial unit, at rural background ***locations, including traffic, industrial and residential*** locations, and which reflects population exposure, used to check whether the average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met; ***the average is weighted taking into account the population which each sampling point is representative of;***

Amendment 56

Proposal for a directive Article 4 – paragraph 1 – point 32

Text proposed by the Commission

(32) ‘information threshold’ means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;

Unmodified text included in the compromise

(32) ‘information threshold’ means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;

Amendment 57

Proposal for a directive Article 4 – paragraph 1 – point 39

Text proposed by the Commission

(39) ‘sensitive population and vulnerable groups’ means those population groups that are more vulnerable to air pollution exposure than the average population, because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves.

Amendment

(39) ‘sensitive population and vulnerable groups’ means those population groups that are more vulnerable to air pollution exposure than the average population, because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves. ***For the purpose of this Directive, transport workers and residents in areas with heavy traffic are also considered vulnerable groups.***

Amendment 58

Proposal for a directive Article 4 – paragraph 1 – point 39 a (new)

Text proposed by the Commission

Amendment

(39 a) ‘early warning system’ means a set of modelling tools and stress tests identifying a risk of pollutant concentration exceedance;

Amendment 59

Proposal for a directive Article 4 – paragraph 1 – point 39 b (new)

Text proposed by the Commission

Amendment

(39 b) ‘category of the source of pollutants’ means pollutants stemming from the following sectors: - stationary installations for industry and/or energy; - transport; - buildings; - agriculture; - waste;

Amendment 60

Proposal for a directive Article 5 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) provision of public information, in accordance with Article 22;

Amendment 61

Proposal for a directive Article 5 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(a b) provision of hourly updated air quality index and other related and relevant health information, in accordance with Article 22;

Amendment 62

Proposal for a directive Article 5 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) ensuring the accuracy of modelling applications;

(d) ensuring the accuracy of *air quality* modelling applications;

Amendment 63

Proposal for a directive

Article 5 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) cooperation with the other Member States and the Commission;

(g) cooperation with the other Member States and the Commission, *including the European transboundary coordinator*;

Amendment 64

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall establish zones throughout their territory , including, where appropriate for the purposes of air quality assessment and management, at the level of agglomerations . Air quality assessment and air quality management shall be carried out in all zones .

Member States shall establish *sufficiently representative for the purposes of the measurements* zones throughout their territory , including, where appropriate for the purposes of air quality assessment and management, at the level of agglomerations . Air quality assessment and air quality management shall be carried out in all zones.

Amendment 65

Proposal for a directive

Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. In all zones where the level of pollutants exceeds the assessment threshold established for those pollutants,

2. In all zones where the level of pollutants exceeds the assessment threshold established for those pollutants,

fixed measurements shall be used to assess the ambient air quality. Those fixed measurements may be supplemented by modelling applications and indicative measurements to assess air quality and to provide adequate information on the spatial distribution of air pollutants and on the spatial representativeness of fixed measurements .

fixed measurements shall be used to assess the ambient air quality. Those fixed measurements may be supplemented by modelling applications and indicative measurements to assess air quality and to provide adequate information on the spatial distribution of air pollutants and on the spatial representativeness of fixed measurements. ***Member States are encouraged to exploit information products and supplementary tools provided by the Earth Observation component of the EU Space Programme, in particular the Copernicus Atmosphere Monitoring Service, for the modelling and provision of this information.***

Amendment 66

Proposal for a directive Article 9 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM₁₀ and PM_{2,5}), lead, benzene, carbon monoxide , arsenic, cadmium, nickel, benzo(a)pyrene in ambient air shall be determined in accordance with Annex IV.

Amendment

The competent authority shall adopt a decision by [the date laid down in Article 31(1)], and at least every 5 years thereafter, defining the network design and the location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM₁₀ and PM_{2,5}), lead, benzene, carbon monoxide, arsenic, cadmium, nickel, benzo(a)pyrene in ambient air shall be determined in accordance with Annex IV.

Amendment 67

Proposal for a directive Article 9 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Member States may continue to use the

existing infrastructure in place, provided that the existing sampling points and monitoring sites correspond to the objectives of this Directive.

Amendment 68

Proposal for a directive

Article 9 – paragraph 3 – introductory part

Text proposed by the Commission

3. For zones where the level of pollutants exceeds the relevant assessment threshold specified in Annex II, but not the respective limit values specified in Table 1 of Section 1 of Annex I, ozone target values specified in Section 2 of Annex I or critical levels specified in Section 3 of Annex I, the minimum number of sampling points may be reduced by up to 50 %, in accordance with Points A and C of Annex III provided that the following conditions are met:

Amendment

3. For zones where the level of pollutants exceeds the relevant assessment threshold specified in Annex II, but not the respective limit values specified in Table 1 of Section 1 of Annex I, ozone target values specified in Section 2 of Annex I or critical levels specified in Section 3 of Annex I, ***and in which information from fixed measurements is supplemented by information from modelling and/or indicative measurements***, the minimum number of sampling points may be reduced by up to 50 %, in accordance with Points A and C of Annex III provided that the following conditions are met:

Amendment 69

Proposal for a directive

Article 9 – paragraph 3 – point c

Text proposed by the Commission

(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative measurements have a minimum duration of 2 months per calendar year;

Amendment

(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative measurements have a minimum duration of 2 months per calendar year, ***in the representative period***;

Amendment 70

Proposal for a directive Article 9 – paragraph 7

Text proposed by the Commission

7. Sampling points at which exceedances of any limit value specified in Section 1 of Annex I were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary due to special circumstances, including spatial development. Relocation of sampling points shall be done within their area of spatial representativeness and be based on modelling results.

Amendment

7. Sampling points at which exceedances of any limit value specified in Section 1 of Annex I were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary due to special circumstances, including spatial development. Relocation of sampling points shall be done within their area of spatial representativeness, ***shall ensure continuity of measurement*** and be based on modelling results.

Amendment 71

Proposal for a directive Article 12 – paragraph 2

Text proposed by the Commission

2. In zones in which ozone levels are below the ozone target value Member States shall take necessary measures to maintain those levels below the ozone target value and ***endeavour*** to attain the long-term objectives specified in Section 2 of Annex I, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions so permit, and provided that any necessary measures do not entail a disproportionate cost.

Amendment

2. In zones in which ozone levels are below the ozone target value Member States shall take necessary measures to maintain those levels below the ozone target value and ***make sure*** to attain the long-term objectives specified in Section 2 of Annex I, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions so permit, and provided that any necessary measures do not entail a disproportionate cost.

Amendment 72

Proposal for a directive Article 17 – paragraph 1

Text proposed by the Commission

1. Member States may, for a given year, identify zones within which limit values for PM₁₀ are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or **winter -salting** of roads.

Amendment

1. Member States may, for a given year, identify zones within which limit values for PM₁₀ are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or **winter-salting** of roads, **pavements and bike paths**.

Amendment 73

Proposal for a directive

Article 19 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Where, in given zones the levels of pollutants in ambient air exceed any limit value, laid down in Section 1 of Annex I, Member States shall establish air quality plans for those zones as soon as possible and no later than **2 years** after the calendar year during which that exceedance of any limit value was recorded. Those air quality plans shall set out appropriate measures to achieve the concerned limit value and to keep the exceedance period as short as possible, and in any case no longer than **3** years from the end of the calendar year in which the first exceedance was reported.

Amendment

Where, in given zones the levels of pollutants in ambient air exceed any limit value, laid down in Section 1 of Annex I, Member States shall establish air quality plans for those zones as soon as possible and no later than **1 year** after the calendar year during which that exceedance of any limit value was recorded. Those air quality plans shall set out appropriate measures to achieve the concerned limit value and to keep the exceedance period as short as possible, and in any case no longer than **2** years from the end of the calendar year in which the first exceedance was reported.

Amendment 74

Proposal for a directive

Article 19 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Where exceedances of any limit values persist during the **third** calendar year after the establishment of the air quality plan, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in

Amendment

Where exceedances of any limit values persist during the **second** calendar year after the establishment of the air quality plan, **The Commission shall issue recommendations and** Member States shall update the air quality plan **in**

the subsequent calendar year to keep the exceedance period as short as possible.

accordance with those recommendations and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

Amendment 75

Proposal for a directive Article 19 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Where exceedances of the ozone target value persist during the ***fifth*** calendar year after the establishment of the air quality plan in the relevant NUTS 1 territorial unit, Member States shall update air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

Amendment

Where exceedances of the ozone target value persist during the ***third*** calendar year after the establishment of the air quality plan in the relevant NUTS 1 territorial unit, Member States shall update air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

Amendment 76

Proposal for a directive Article 19 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Where exceedances of the average exposure reduction obligation persist during the ***fifth*** calendar year after the establishment of the air quality plan, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

Amendment

Where exceedances of the average exposure reduction obligation persist during the ***third*** calendar year after the establishment of the air quality plan, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

Amendment 77

Proposal for a directive
Article 19 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Member States shall consider including measures referred to in Article 20(2) and specific measures aiming at the protection of sensitive population and vulnerable groups, including children in their air quality plans.

Amendment

Member States shall consider including measures referred to in Article 20(2) and ***shall include*** specific measures aiming at the protection of sensitive population and vulnerable groups, including children, in their air quality plans.

Amendment 78

Proposal for a directive
Article 19 – paragraph 5 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States shall promote measures to address and reduce voluntary engine idling, so as to reduce the impact of idling-related emissions which is particularly damaging in the areas of schools, hospitals and densely populated areas.

Amendment 79

Proposal for a directive
Article 19 – paragraph 6 – subparagraph 2

Text proposed by the Commission

When preparing air quality plans, Member States shall ensure that stakeholders whose activities contribute to the exceedance situation are encouraged to propose measures they are able to take to help end the exceedances and that non-governmental organisations, such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population and

Amendment

When preparing air quality plans, Member States shall ensure that stakeholders whose activities contribute to the exceedance situation are encouraged to propose measures they are able to take to help end the exceedances and that non-governmental organisations, such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population and

vulnerable groups, other relevant health-care bodies and the relevant industrial federations are allowed to take part in those consultations.

vulnerable groups, other relevant health-care bodies and the relevant industrial federations are allowed to take part in those consultations. ***Member States shall make sure that relevant stakeholders and citizens are duly informed about the specific sources and air pollutants affecting air quality and the relevant air pollution mitigation measures that exist and are available on the market, in accordance with Article 22.***

Amendment 80

Proposal for a directive Article 19 a (new)

Text proposed by the Commission

Amendment

Article 19 a

Early warning system

- 1. The Commission shall establish, by means of a delegated act, guidelines concerning modelling approach and tools, as well as stress tests methodology functioning as an early warning system (EWS).***
- 2. The system shall identify any systemic problem(s) with the air quality in a Member State which will likely lead in the future to the exceedance of the concentrations of the pollutants.***
- 3. Where the EWS identifies a problem, Member State shall draft a Preventive Air Plan.***
- 4. The Preventive Air Plan shall contain preventive measures based on the problem identified by the EWS.***

Amendment 81

Proposal for a directive

Article 20 – paragraph 2

Text proposed by the Commission

2. When drawing up the short-term action plans referred to in paragraph 1 Member States may, depending on the individual case, provide for effective measures to control and, where necessary, temporarily suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. Depending on the share of the main pollution sources to the exceedances to be addressed, those short-term action plans shall consider including measures in relation to transport, construction works, industrial installations and the use of products and domestic heating. Specific actions aiming at the protection of sensitive population and vulnerable groups, including children, shall also be considered in the framework of those plans.

Amendment

2. When drawing up the short-term action plans referred to in paragraph 1 Member States may, depending on the individual case, provide for effective measures to control and, where necessary, temporarily suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. Depending on the share of the main pollution sources to the exceedances to be addressed, those short-term action plans shall consider including measures in relation to transport, construction works, industrial installations and the use of products and domestic heating. Specific actions aiming at the protection of sensitive population and vulnerable groups, including children **and transport workers particularly exposed to air pollution** shall also be considered in the framework of those plans.

Amendment 82

Proposal for a directive Article 20 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Within one year after the entry into force of this directive, the Commission shall publish examples of best practice actions to take within transport, residential and industrial sectors for the drawing-up of short-term action plans.

Amendment 83

Proposal for a directive Article 21 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

With a view to facilitate cooperation and increase the support to Member States in cases of transboundary pollution, a Commission representative shall be appointed as European Transboundary Coordinator, who, for the purpose of this Directive, shall oversee and assist in the transboundary coordination between Member States as well as with third countries.

Amendment 84

Proposal for a directive

Article 21 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The Member States concerned shall cooperate to identify the sources of air pollution and the measures to be taken to address those sources, and draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 19, in order to remove such exceedances .

The Member States concerned shall cooperate ***with each other and with the European transboundary coordinator***, to identify the sources of air pollution and the measures to be taken to address those sources, and draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 19, in order to remove such exceedances.

Amendment 85

Proposal for a directive

Article 21 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be informed of, and ***invited to*** be present ***and to*** assist ***in*** any cooperation referred to in paragraph 1 of this Article . Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 11

2. The Commission shall be informed of, and ***shall*** be present, assist ***and oversee*** any cooperation referred to in paragraph 1 of this Article. ***The European transboundary coordinator shall assist in the drafting of the solutions to be***

of Directive **(EU) 2016/2284** , consider whether further action shall be taken at Union level in order to reduce precursor emissions responsible for transboundary pollution.

implemented. Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 11 of Directive, consider whether further action shall be taken at Union level in order to reduce precursor emissions responsible for transboundary pollution.

Amendment 86

Proposal for a directive Article 21 – paragraph 3

Text proposed by the Commission

3. Member States shall, if appropriate pursuant to Article 20, prepare and implement joint short-term action plans covering neighbouring zones in other Member States. Member States shall ensure that neighbouring zones in other Member States receive all appropriate information regarding these short-term action plans without undue delay .

Amendment

3. Member States shall, if appropriate pursuant to Article 20, prepare and implement joint short-term action plans covering neighbouring zones in other Member States. ***Upon request of one or more Member States, the European transboundary Coordinator shall make recommendations and assist in the preparation of those plans.*** Member States shall ensure that neighbouring zones in other Member States receive all appropriate information regarding these short-term action plans without undue delay.

Amendment 87

Proposal for a directive Article 21 – paragraph 5

Text proposed by the Commission

5. In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries.

Amendment

5. In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries. ***The Commission, including the***

European transboundary Coordinator, shall provide support to Member States in such cooperation, and liaise with third countries in order to facilitate agreement and joint efforts.

Amendment 88

Proposal for a directive Article 21 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. With a view to further strengthen cooperation with third countries, the Commission shall consider setting up a Structured Dialogue on transboundary air pollution between the Union and neighbouring third countries, to encourage and operationalise increased joint action to reduce transboundary air pollution.

Amendment 89

Proposal for a directive Article 22 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) any significant problems identified by the early warning system and the ensuing preventive air plans, as provided for in Article 19a;

Amendment 90

Proposal for a directive Article 22 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) air pollution sources and air pollutants affecting air quality

Amendment 91

Proposal for a directive

Article 22 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(d b) best practice mitigation measures and technologies available to reduce pollutant emissions

Amendment 92

Proposal for a directive

Article 22 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, and make it available through a public source providing an hourly update. The air quality index shall ***consider the*** recommendations by the WHO and build on the air quality indices at European scale provided by the European Environmental Agency.

2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, ***based on an EU-wide framework containing data that will ensure harmonised information across the EU*** and make it available ***in a coherent and easily understandable manner*** through a public source providing an hourly update ***and accompanied with health information, including information tailored to sensitive population and vulnerable groups. In order to ensure harmonized and comparable data across the Union,*** the air quality index shall ***be closely aligned with the latest*** recommendations by the WHO and build on the air quality indices at European scale provided by the European Environmental Agency.

Amendment 93

Proposal for a directive

Article 22 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The Commission shall adopt guidance and templates concerning the content, structure and format of the national air quality indexes, no later than six months after the entry into force referred to in Article 32. In so doing, the Commission shall also include information on the health impacts of air pollution from different concentration levels of each pollutant on the general population and on sensitive population and vulnerable groups, as well as recommended precautions. The Commission may adopt guidance and templates to facilitate the effective application across the Union of any other provisions of this Directive.

Amendment 94

Proposal for a directive

Article 24 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

The Commission shall also adopt a delegated act in accordance with Article 25 supplementing Annex IV by establishing guidelines for standardised requirements for sampling points as well as the location for new sampling points and existing sampling points which currently do not ensure sufficient level of air quality assessments.

Amendment 95

Proposal for a directive Article 25 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in **Article 24** shall be conferred on the Commission for an indeterminate period of time from ... [date of entry into force of this Directive].

Amendment

2. The power to adopt delegated acts referred to in **Articles 19a and 24** shall be conferred on the Commission for an indeterminate period of time from ... [date of entry into force of this Directive].

Amendment 96

Proposal for a directive Annex IV – Part A – paragraph 1 – point 2 – point c

Text proposed by the Commission

(c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access to the central reservation.

Amendment

(c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access to the central reservation **or, where applicable, cycling lanes are present** .

Amendment 97

Proposal for a directive Annex IV – Part B – point 2 – paragraph 1 – point e

Text proposed by the Commission

(e) the annual average of the observed pollutant concentration shall be used as the air quality metric for a specific year.

Amendment

(e) the annual average of the observed pollutant concentration shall be used as the air quality metric for a specific year; **in case of significant differences of observed concentrations between summer and winter seasons, annualised seasonal averages for those concentrations shall also be used;**

Amendment 98

Proposal for a directive

Annex IV – Part B – point 2 – point a – introductory part

Text proposed by the Commission

(a) Sampling points directed at the protection of human health shall be sited in such a way as to provide data on all of the following:

Amendment

(a) Sampling points directed at the protection of human health shall be sited in such a way as to provide **reliable** data on all of the following:

Amendment 99

Proposal for a directive

Annex IV – Part B – point 2 – point a – point i

Text proposed by the Commission

(i) concentration levels in the areas within zones with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s),

Amendment

(i) concentration levels in the areas within zones with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s), ***including in the vicinity of all pollution hotspots such as industries, farms, airports and ports, residential areas, as well as neighbourhoods with heavy traffic;***

Amendment 100

Proposal for a directive

Annex IV – Part B – point 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) urban traffic locations shall be located in such a way as to provide data on the streets with the highest concentration to which the population is exposed, taking into consideration traffic volume, local dispersion conditions and

spatial land use (e.g. in street canyons);

Amendment 101

Proposal for a directive Annex IV – Part B – point 2 – point f

Text proposed by the Commission

(f) where contributions from industrial sources, ports or airports are to be assessed, at least 1 sampling point shall be installed downwind of the source in the nearest residential area. Where the background concentration is not known, an additional sampling point shall be situated within the main wind direction. The sampling points shall be sited such that the application of BAT can be monitored;

Amendment

(f) where contributions from industrial sources, **farms**, ports or airports are to be assessed, at least 1 sampling point shall be installed downwind of the source in the nearest residential area. Where the background concentration is not known, an additional sampling point shall be situated within the main wind direction. The sampling points shall be sited such that the application of BAT can be monitored;

Amendment 102

Proposal for a directive Annex IV – Part B – point 2 – point i a (new)

Text proposed by the Commission

Amendment

(i a) sufficient number of sampling points shall be located in the transborder zones;

Amendment 103

Proposal for a directive Annex IV – Part C – paragraph 1 – point b

Text proposed by the Commission

(b) in general, the sampling point inlet shall be between 0,5 m (the breathing zone) and 4 m above the ground. Higher siting (up to 8m) may be appropriate if the

Amendment

(b) in general, the sampling point inlet shall be between 0,5 m (the breathing zone) and 4 m above the ground. Higher siting (up to 8m **or, where justified,**

sampling point is representative of a large area (a background location) or in other specific circumstances and any derogations shall be fully documented;

higher) may be appropriate if the sampling point is representative of a large area (a background location) or in other specific circumstances and any derogations shall be fully documented;

Amendment 104

Proposal for a directive Annex IV – Part D – point 1

Text proposed by the Commission

1. The competent authorities responsible for air quality assessment shall for all zones fully document the site-selection procedures **and** record information to support the network design and choice of location for all monitoring sites. The design of the monitoring network shall be supported at least by either modelling or indicative measurements.

Amendment

1. The competent authorities responsible for air quality assessment shall **provide**, for all zones, **assessments based on data**, fully document the site-selection procedures, record information to support the network design and choice of location for all monitoring sites **and provide justifications**. The design of the monitoring network shall be supported at least by either modelling **with sufficiently low level of uncertainty** or indicative measurements.

Amendment 105

Proposal for a directive Annex IV – Part D – point 2

Text proposed by the Commission

2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps and shall include information on the spatial representativeness of all sampling points.

Amendment

2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps, **photos** and shall include information on the spatial representativeness of all sampling points.

Amendment 106

Proposal for a directive
Annex IV – Part D – point 3

Text proposed by the Commission

3. The documentations shall include any deviation from the micro-scale siting criteria, their underlying reasons and the likely impact on measured levels.

Amendment

3. The documentations shall include ***reports explaining the reasons for the network design, in particular: (a) the reasons for selecting sites representative of the highest pollution levels in the zone for each pollutant; (b) the reasons for selecting sites representative of the general population exposure; and (c) any deviation from the micro-scale siting criteria, their underlying reasons and the likely impact on measured levels.***

Amendment 107

Proposal for a directive
Annex IV – Part D – point 9

Text proposed by the Commission

9. At least every 5 years the selection criteria, network design and monitoring site locations, defined by the competent authorities in view of the requirements of this Annex, shall be reviewed to ensure they remain valid and optimal overtime. The review shall be supported at least by either modelling or indicative measurements.

Amendment

9. At least every 5 years the selection criteria, network design and monitoring site locations, defined by the competent authorities in view of the requirements of this Annex, shall be reviewed to ensure they remain valid and optimal overtime. The review shall be supported at least by either modelling or indicative measurements ***and inform about measures to be taken to correct and update the network design within one year, in case the review reveals that the network design and location of monitoring sites are no longer valid (e.g. there is no fixed monitoring station in the area of the modelled maximum levels).***

Amendment 108

Proposal for a directive

Annex V – Part B – paragraph 3

Text proposed by the Commission

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O₃). In order to comply with these requirements and to ensure that any potential losses of data do not skew results, the minimum data coverage requirements shall be met for specific periods (quarter, month, weekday) of the whole year depending on the pollutant and measurement method/frequency.

Amendment

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O₃). In order to comply with these requirements and to ensure that any potential losses of data do not skew results, the minimum data coverage **and distribution** requirements shall be met for specific periods (quarter, month, weekday) of the whole year depending on the pollutant and measurement method/frequency.

Amendment 109

Proposal for a directive

Annex V – Part D – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(e a) for measurements from transborder sampling points, an estimation shall be provided of the transborder pollution originating in another Member State;

Amendment 110

Proposal for a directive

Annex VI – Part B – point 2

Text proposed by the Commission

Amendment

2. The Commission **may** require Member States to prepare and submit a report on the demonstration of equivalence in accordance with point 1.

2. The Commission **shall** require Member States to prepare and submit a report on the demonstration of equivalence in accordance with point 1.

Amendment 111

Proposal for a directive
Annex VIII – Part A – point 4 – point a

Text proposed by the Commission

(a) list of the main emission sources responsible for pollution;

Amendment

(a) list of the main emission sources, ***including its category***, responsible for pollution;

Amendment 112

Proposal for a directive
Annex VIII – Part A – point 4 a (new)

Text proposed by the Commission

Amendment

4 a. Where the transport sector is part of the emission sources responsible for pollution referred to under point (a), the relevant information provided under points (a-d) shall be broken down and reported per mode of transport if possible.

Amendment 113

Proposal for a directive
Annex VIII – Part A – point 5 – point a

Text proposed by the Commission

(a) expected quantified concentration reduction (in $\mu\text{g}/\text{m}^3$) at each sampling point in exceedance of limit values, ozone target value or of the average exposure indicator in case of an exceedance of the average exposure reduction obligation, from the measures referred to in point 6;

Amendment

(a) expected quantified concentration reduction (in $\mu\text{g}/\text{m}^3$) at each sampling point in exceedance of limit values, ozone target value or of the average exposure indicator in case of an exceedance of the average exposure reduction obligation, from the ***short-term and long-term*** measures referred to in point 6 ***and their relation to the category of the source of pollutants***;

Amendment 114

Proposal for a directive
Annex VIII – Part A – point 5 – point b a (new)

Text proposed by the Commission

Amendment

(b a) for air quality plans under Article 19(2), detailed reasons to explain how the plan sets out all appropriate measures, so that the exceedance period can be kept as short as possible, including the following:

(i) where the start date for implementation of a measure is later than 6 months from the date of adoption of the air quality plan, an explanation of the reasons why an earlier start date is not possible;

(ii) where the analysis pursuant to point 4a has identified measures that would have greater impacts in improving air quality, but they have not been selected for adoption, an explanation of the reasons why adoption of such measures is impossible and evidence that the selected measures will achieve at least an equivalent reduction in emissions and concentrations.

Amendment 115

Proposal for a directive
Annex VIII – Part A – point 6 – point a

Text proposed by the Commission

Amendment

(a) listing and description of all the measures set out in the air quality plan, including the identification of the competent authority in charge of their implementation;

(a) listing and description of all the ***short-term*** measures ***related to relevant categories*** set out in the air quality plan ***and justification for those measures regarding the source and category of exceedance, their efficiency and availability in time***, including the identification of the competent authority in charge of their implementation;

Amendment 116

Proposal for a directive Annex VIII – Part A – point 6 – point a a (new)

Text proposed by the Commission

Amendment

(a a) listing and description of all the long-term measures related to relevant categories set out in the air quality plan and justification for those measures regarding the source and category of exceedance, their efficiency, availability in time and socio-economic impact, including the identification of the competent authority in charge of their implementation;

Amendment 117

Proposal for a directive Annex VIII – Part A – point 6 – point b

Text proposed by the Commission

Amendment

(b) quantification of emission reduction (in tonnes/year) of each measure under point (a);

(b) quantification of emission reduction (in tonnes/year) of each measure ***and category*** under point (a);

Amendment 118

Proposal for a directive Annex VIII – Part A – point 6 – point c a (new)

Text proposed by the Commission

Amendment

(c a) an estimate of the economic and social impact of each measure, including, where relevant, any possible impact on the access to energy and mobility;

Amendment 119

Proposal for a directive
Annex VIII – Part A – point 6 – point e

Text proposed by the Commission

(e) list of the information (including modelling and assessment results of measures) to reach the air quality standard concerned in accordance with Annex I.

Amendment

(e) list of the information (including modelling and assessment results of **short-term and long-term** measures) to reach the air quality standard concerned in accordance with Annex I.

Amendment 120

Proposal for a directive
Annex VIII – Part A – point 7 – point d

Text proposed by the Commission

(d) listing **and** description of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.

Amendment

(d) listing, description, **justification and socio-economic impact** of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.

Amendment 121

Proposal for a directive
Annex VIII – Part A – point 7 – point d a (new)

Text proposed by the Commission

Amendment

(d a) data on existing and planned zero- or low-emission zones;

Amendment 122

Proposal for a directive
Annex VIII – Part A – point 7 – point d b (new)

Text proposed by the Commission

Amendment

(d b) where applicable, data relevant for the reductions of emissions and pollutant concentrations contained in Sustainable Urban Mobility Plans, as established in COM/2013/0913;

Amendment 123

Proposal for a directive Annex VIII – Part A – point 8 – point b a (new)

Text proposed by the Commission

Amendment

(b a) estimate of impact of measures to reduce emissions and pollutant concentrations in the transport sector.

Amendment 124

Proposal for a directive Annex VIII – Part B – point 2 – introductory part

Text proposed by the Commission

Amendment

2. Information on all air pollution abatement measures that have been considered at local, regional or national level for implementation in connection with the attainment of air quality objectives, including:

2. Information on all air pollution abatement measures that have been considered at local, regional or national level for implementation ***and/or will be implemented*** in connection with the attainment of air quality objectives ***for each category in short and long term***, including:

Amendment 125

Proposal for a directive Annex VIII – Part B – point 2 – point a a (new)

Text proposed by the Commission

Amendment

(a a) reduction of emissions from the uptake of zero and low emission vehicles, including as a result of economic incentives, and such reductions from public transport and/or vehicles equipped with modern digital solutions affecting emission reduction;

Amendment 126

Proposal for a directive

Annex VIII – Part B – point 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) reduction of emissions from road, maritime, and air transport through the use of alternative fuels and deployment of alternative fuels infrastructure, as well as the use of economic incentives to accelerate their take-up;

Amendment 127

Proposal for a directive

Annex VIII – Part B – point 2 – point b b (new)

Text proposed by the Commission

Amendment

(b b) reduction of transport emissions through investments in active mobility, including cycling, relevant infrastructure and intermodal synergies;

Amendment 128

Proposal for a directive

Annex VIII – Part B – point 2 – point b c (new)

Text proposed by the Commission

Amendment

(b c) measures related to improved quality, efficiency, affordability and connectivity of public transport;

Amendment 129

Proposal for a directive

Annex VIII – Part B – point 2 – point b d (new)

Text proposed by the Commission

Amendment

(b d) measures related to the deployment of alternative fuels infrastructure;

Amendment 130

Proposal for a directive

Annex VIII – Part B – point 2 – point b e (new)

Text proposed by the Commission

Amendment

(b e) measures related to the implementation of intelligent transport systems and digital solutions related to emissions reduction;

Amendment 131

Proposal for a directive

Annex VIII – Part B – point 2 – point b f (new)

Text proposed by the Commission

Amendment

(b f) measures related to smart parking;

Amendment 132

Proposal for a directive
Annex VIII – Part B – point 2 – point d

Text proposed by the Commission

(d) measures to limit transport emissions through traffic planning and management (including congestion pricing, differentiated parking fees or other economic incentives; establishing urban vehicles access restrictions schemes, including low emission zones);

Amendment

(d) measures to limit transport emissions through traffic planning and management (including congestion pricing, differentiated parking fees or other economic incentives ***such as reduced public transport fares for targeted low-income groups***, establishing urban vehicles access restrictions schemes, including low emission zones);

Amendment 133

Proposal for a directive
Annex VIII – Part B – point 2 – point e

Text proposed by the Commission

(e) measures to encourage a shift towards less polluting forms of transport;

Amendment

(e) measures to encourage a ***modal*** shift towards less polluting forms of transport ***including rail and inland waterways, but also through active and public transport, as well as social leasing of electric vehicles and vehicle scrappage schemes, and to support changes in mobility behaviour***;

Amendment 134

Proposal for a directive
Annex VIII – Part B – point 2 – point f

Text proposed by the Commission

(f) measures to encourage a shift towards zero emissions vehicles and non-road machinery for both private and commercial applications;

Amendment

(f) measures to encourage a shift towards zero ***and low*** emissions vehicles and non-road machinery for both private and commercial applications;

Amendment 135

Proposal for a directive Annex VIII – Part B – point 2 – point g

Text proposed by the Commission

(g) measure to ensure that low emission fuels are given preference in small-, medium- and large-scale stationary sources and in mobile sources;

Amendment

(g) measure to ensure that **zero and** low emission fuels are given preference in small-, medium- and large-scale stationary sources and in mobile sources;

Amendment 136

Proposal for a directive Annex VIII – Part B – point 2 – point h a (new)

Text proposed by the Commission

Amendment

(h a) measures to reduce air pollution in hotspots, including in ports, notably by speeding-up the deployment of on-shore power infrastructure for ships at berth;

Amendment 137

Proposal for a directive Annex VIII – Part B – point 2 – point i

Text proposed by the Commission

(i) measures to protect the health of children **or** other sensitive population groups.

Amendment

(i) measures to protect the health of children, ***such as school streets with limited or no access for cars, and measures to protect the health of*** other sensitive population ***and vulnerable*** groups.

Amendment 138

Proposal for a directive
Annex VIII – Part B – point 2 – point i a (new)

Text proposed by the Commission

Amendment

(i a) measures to better protect the health of workers who are exposed to unhealthy levels of air pollution in their profession.

Amendment 139

Proposal for a directive
Annex IX – point 2 – point d

Text proposed by the Commission

Amendment

(d) information on preventive **action** to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions;

(d) information on **short term measures and preventive actions** to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions **and limitations for exposure**;

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Ambient air quality and cleaner air for Europe (recast)
References	COM(2022)0542 – C9-0364/2022 – 2022/0347(COD)
Committee responsible Date announced in plenary	ENVI 19.1.2023
Opinion by Date announced in plenary	TRAN 19.1.2023
Rapporteur for the opinion Date appointed	Vera Tax 19.1.2023
Discussed in committee	21.3.2023
Date adopted	24.5.2023
Result of final vote	+: 34 –: 8 0: 1
Members present for the final vote	Andris Ameriks, José Ramón Bauzá Díaz, Erik Bergkvist, Paolo Borchia, Karolin Braunsberger-Reinhold, Marco Campomenosi, Ciarán Cuffe, Jakob G. Dalunde, Anna Deparnay-Grunenberg, Ismail Ertug, Carlo Fidanza, Jens Gieseke, Kateřina Konečná, Elena Kountoura, Bogusław Liberadzki, Peter Lundgren, Benoît Lutgen, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Ljudmila Novak, Jan-Christoph Oetjen, Rovana Plumb, Bergur Løkke Rasmussen, Dominique Riquet, Massimiliano Salini, Vera Tax, Barbara Thaler, Petar Vitanov, Lucia Vuolo, Roberts Zile
Substitutes present for the final vote	Pablo Arias Echeverría, Ignazio Corrao, Vlad Gheorghe, Roman Haider, Ondřej Kovařík, Jutta Paulus, Andreas Schieder, Jörgen Warborn
Substitutes under Rule 209(7) present for the final vote	Mauri Pekkarinen, Antonio Maria Rinaldi, Paul Tang, Eugen Tomac, Elena Yoncheva

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

34	+
PPE	Pablo Arias Echeverría, Karolin Braunsberger-Reinhold, Jens Gieseke, Elżbieta Katarzyna Łukacijewska, Benoît Lutgen, Marian-Jean Marinescu, Ljudmila Novak, Barbara Thaler, Eugen Tomac, Jörgen Warborn
Renew	José Ramón Bauzá Díaz, Vlad Gheorghe, Ondřej Kovařík, Jan-Christoph Oetjen, Mauri Pekkarinen, Bergur Løkke Rasmussen, Dominique Riquet
S&D	Andris Ameriks, Erik Bergkvist, Ismail Ertug, Bogusław Liberadzki, Rovana Plumb, Andreas Schieder, Paul Tang, Vera Tax, Petar Vitanov, Elena Yoncheva
The Left	Kateřina Konečná, Elena Kountoura
Verts/ALE	Ignazio Corrao, Ciarán Cuffe, Jakop G. Dalunde, Anna Deparnay-Grunenberg, Jutta Paulus

8	-
ECR	Carlo Fidanza, Roberts Zīle
ID	Paolo Borchia, Marco Campomenosi, Roman Haider, Antonio Maria Rinaldi
PPE	Massimiliano Salini, Lucia Vuolo

1	0
ECR	Peter Lundgren

Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Ambient air quality and cleaner air for Europe (recast)	
References	COM(2022)0542 – C9-0364/2022 – 2022/0347(COD)	
Date submitted to Parliament	27.10.2022	
Committee responsible Date announced in plenary	ENVI 19.1.2023	
Committees asked for opinions Date announced in plenary	TRAN 19.1.2023	JURI 19.1.2023
Not delivering opinions Date of decision	JURI 31.1.2023	
Rapporteurs Date appointed	Javi López 11.1.2023	
Discussed in committee	22.3.2023	
Date adopted	27.6.2023	
Result of final vote	+: 46 -: 41 0: 1	
Members present for the final vote	Mathilde Androuët, Maria Arena, Margrete Auken, Marek Paweł Balt, Traian Băsescu, Aurélia Beigneux, Hildegard Bentele, Sergio Berlato, Alexander Bernhuber, Malin Björk, Delara Burkhardt, Pascal Canfin, Sara Cerdas, Maria Angela Danzi, Esther de Lange, Christian Doleschal, Bas Eickhout, Cyrus Engerer, Agnès Evren, Pietro Fiocchi, Heléne Fritzon, Malte Gallée, Gianna Gancia, Andreas Glueck, Catherine Griset, Martin Hojsik, Pär Holmgren, Jan Huitema, Yannick Jadot, Adam Jarubas, Karin Karlsbro, Petros Kokkalis, Joanna Kopcińska, Peter Liese, Sylvia Limmer, Javi López, César Luena, Marian-Jean Marinescu, Fulvio Martusciello, Marina Measure, Tilly Metz, Silvia Modig, Alessandra Moretti, Grace O’Sullivan, Nikos Papandreou, Francesca Peppucci, Stanislav Polčák, Jessica Polfjärd, Erik Poulsen, Nicola Procaccini, María Soraya Rodríguez Ramos, Maria Veronica Rossi, Christine Schneider, Ivan Vilibor Sinčić, Edina Tóth, Achille Variati, Petar Vitanov, Mick Wallace, Emma Wiesner, Michal Wiezik, Tiemo Wölken, Anna Zalewska	
Substitutes present for the final vote	João Albuquerque, Biljana Borzan, Milan Brglez, Catherine Chabaud, Christophe Clergeau, Antoni Comín i Oliveres, Rosanna Conte, Norbert Lins, Marisa Matias, Sara Matthieu, Marlene Mortler, Max Orville, Manuela Ripa, Robert Roos, Massimiliano Salini, Christel Schaldemose, Róza Thun und Hohenstein, Sarah Wiener	
Substitutes under Rule 209(7) present for the final vote	Franc Bogovič, Roman Haider, Jarosław Kalinowski, Rob Rooker, Bert-Jan Ruissen, Simone Schmiedtbauer, Sara Skyttedal, Romana Tomc	

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

46	+
NI	Antoni Comín i Oliveres, Maria Angela Danzi
Renew	Pascal Canfin, Catherine Chabaud, Martin Hojsík, Karin Karlsbro, Max Orville, Erik Poulsen, María Soraya Rodríguez Ramos, Róza Thun und Hohenstein, Emma Wiesner, Michal Wiezik
S&D	João Albuquerque, Maria Arena, Marek Paweł Balt, Biljana Borzan, Milan Brglez, Delara Burkhardt, Sara Cerdas, Christophe Clergeau, Cyrus Engerer, Helène Fritzon, Javi López, César Luena, Alessandra Moretti, Nikos Papandreou, Christel Schaldemose, Achille Variati, Petar Vitanov, Tiemo Wölken
The Left	Malin Björk, Petros Kokkalis, Marisa Matias, Marina Mesure, Silvia Modig, Mick Wallace
Verts/ALE	Margrete Auken, Bas Eickhout, Malte Gallée, Pär Holmgren, Yannick Jadot, Sara Matthieu, Tilly Metz, Grace O'Sullivan, Manuela Ripa, Sarah Wiener

41	-
ECR	Sergio Berlato, Pietro Fiocchi, Joanna Kopcińska, Nicola Procaccini, Rob Rookens, Robert Roos, Bert-Jan Ruissen, Anna Zalewska
ID	Mathilde Androuët, Aurélia Beigneux, Rosanna Conte, Gianna Gancia, Catherine Griset, Roman Haider, Sylvia Limmer, Maria Veronica Rossi
NI	Ivan Vilibor Sinčić, Edina Tóth
PPE	Traian Băsescu, Hildegard Bentele, Alexander Bernhuber, Franc Bogovič, Christian Doleschal, Adam Jarubas, Jarosław Kalinowski, Esther de Lange, Peter Liese, Norbert Lins, Marian-Jean Marinescu, Fulvio Martusciello, Marlene Mortler, Francesca Peppucci, Stanislav Polčák, Jessica Polfjård, Massimiliano Salini, Simone Schmiedtbauer, Christine Schneider, Sara Skyttedal, Romana Tomc
Renew	Andreas Glueck, Jan Huitema

1	0
PPE	Agnès Evren

Key to symbols:

+ : in favour

- : against

0 : abstention

