



Local & Regional  
Europe

# Air quality

A more ambitious policy at the source of  
pollution is urgently needed!

CEMR position paper on the review of EU air policy  
Brussels, 24 May 2013

## Summary

In 2013 the European Commission will present a review of the EU air policy on the occasion of the “European year of Air”. An effective air policy is crucial to improve the health of citizens and the environmental conditions in the European Union. As the report on “air quality in Europe” published by the European Environmental Agency (EEA) in 2012<sup>1</sup> shows, air pollution is still a major threat for health and ecosystems, and limit values set by the EU will not be met in many Member States. According to the EEA report, this causes half a million premature deaths each year, apart from other severe health impacts like respiratory diseases.

Local and regional governments play an important role in the implementation of the EU air legislation and consider a healthy living environment for their citizens of highest importance. A large part of the problems with air pollution is concentrated in cities, which have the highest population densities. Local and regional authorities feel responsible and are willing to act. A lot is being done already, for example in the field of urban and spatial planning, including measures regarding urban mobility and building permits.

However, local and regional authorities face several obstacles in their efforts to comply with the EU standards. This is mainly due to the fact that their ability to influence air quality is limited, due to background concentrations beyond the local scope of influence, limited means, tools and in many cases limited policy freedom. Next to health problems, this constant risk of non-compliance could also have serious consequences for local development in broader sense, for instance new construction works no longer passing the air quality tests.

What is urgently needed is a more ambitious policy at the source of the air pollution at EU and national level and better coordination between the actions of the different implementing levels.

In that respect, CEMR very much welcomes the fact that the review of the EU air policy will be based on the objectives and principles of the 2011 Roadmap to a resource efficient Europe<sup>2</sup> and the 2012 General Union Environment Action programme to 2020<sup>3</sup>, which particularly highlight that the polluter-pays principle and the principles of rectification of pollution at source should be at the core of future EU environmental policies.

In its position paper, CEMR would like to share its proposals for the review of the EU air policy in order to make it more effective and supportive of actions taken at local and regional level. In particular, CEMR has four concrete proposals for action to enhance the effectiveness of the reviewed Thematic Strategy and related air policies:

- 1. Ensure a true multilevel government approach to enhance coordination between the implementing government levels.**
- 2. Set ambitious, yet realistic targets, with a strong link between immissions<sup>4</sup> and emissions policy.**
- 3. Enhance synergies with other related policy fields to ensure an integrated approach.**
- 4. Achieve better implementation through formulating concrete time frames and actions plans, reflecting points 1, 2 and 3.**

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<sup>1</sup> [EEA report 4/2012](#)

<sup>2</sup> [COM \(2011\)571](#)

<sup>3</sup> [COM \(2012\)710](#)

<sup>4</sup> Immissions are characterised by the concentration of pollutants in ambient air.

## CEMR position paper on the review of EU air policies

CEMR welcomes the Thematic Strategy on air pollution<sup>5</sup> as an important instrument to ensure an integrated approach to tackle air pollution in Europe. Unfortunately, the current Strategy has not led to the expected results. In our view, this is mainly due to the absence of concrete and coordinated action plans for the different policies and a lack of ambition to tackle the pollution at its source. The current position paper aims at identifying the main obstacles and proposals for improvement of the current Thematic Strategy and related policies, in order to make them more concrete and effective, from the perspective of the local and regional authorities in Europe.

### 2. Better coordination: local and regional governments as equal partners in policy making

- Compliance with the air quality standards is a **shared responsibility** between the European, national, regional and local levels of government. It is important to ensure that action is taken up by the relevant level in a coordinated approach. The lack of coordination between the administrative levels is one of the key implementation problems experienced today.
- One of the main obstacles in this respect is the current **imbalance between the responsibilities and the actual limited ability of local and regional authorities to influence air quality** due to high background concentrations and limited means, tools and political freedom.
- In order to become more effective, local actions need to be complemented and supported by **strong (preventive) measures at EU and national level**. In that respect, CEMR calls for a clear EU-framework creating the preconditions for national, regional and local action.
- The Thematic Strategy and related policies should thereby focus on **ambitious source measures, ambitious yet realistic targets and a clear action plan**. This action plan should include timeframes for implementation, be in line with other related EU policies and of course respect the subsidiarity principle.
- In case of non-compliance with the EU legislation on air, CEMR welcomes the concept of **Partnership Implementation Agreements** as a tool to ensure a coordinated approach towards better implementation, provided that local and regional authorities are involved as an equal and official partner.
- Finally, CEMR would like to stress that the role of local and regional governments should not be limited to the implementation phase. Given their important role in achieving the air quality targets, it is crucial to ensure that they are **involved as an equal partner throughout the policy making cycle**, from the development phase until the evaluation phase, at both the European and the national level. In this way, all stakeholders can reinforce each other and obstacles can be identified at an early stage.

### 3. Targets: review should be anticipated by ambitious source based measures

- Human health is a priority for local and regional authorities and the members of CEMR see the need for ambitious measures at EU, national, regional and local level to counter air pollution. However, air quality targets cannot be achieved without the necessary reduction of emission levels. Due to this natural relation, **realistic policy making depends on a strong link between the ambitions of the emissions and immissions<sup>6</sup> policy**. This is currently not the case. The ambitions for the Ambient air quality directive<sup>7</sup> are much more higher than for the emissions policy, causing serious compliance problems at the local and regional level.
- Therefore CEMR is **opposed to any more ambitious limit values unless the emissions policy becomes equally ambitious** and after the measures taken at the source of pollution have turned out to be provably effective.

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<sup>5</sup> [COM 2005/446 final](#)

<sup>6</sup> Immission: Environmental concentration of a pollutant resulting from a combination of emissions and dispersals

<sup>7</sup> [Directive 2008/50/EC](#)

- In addition, CEMR would like to stress that the **timeframe between the measures are implemented and their actual effect/results** should be one of the decisive factors while setting the targets and target years. At the moment, local and regional governments need to meet the air quality standards before the EURO standards are enforced, for example. This should be prevented.
- This synchronization of timeframes and ambitions need to be formulated in the Thematic Strategy and related policies by means of a concrete action plans and measures.
- CEMR considers the National Emission Ceilings Directive<sup>8</sup> as an important legal instrument to lower the background concentrations over the whole of Europe.

#### **CEMR proposals for measures:**

- ⇒ The long term success of the revised air policy largely depends on the prevention of emissions, not on solutions occurring after pollution happens.
- ⇒ Therefore, CEMR calls for stricter and ambitious emissions requirements for mobile and non-mobile sources of air pollution. Abatement measures proved to be successful in the past (e.g. for energy, road and industry sector) and should be continued.
- ⇒ Priority should be given to road transport, especially heavy vehicles such as trucks, busses and vans, since this category is one of the main sources of air pollution.
- ⇒ In that respect, we stress the need to closely stick to the introduction of the EURO 6/VI standard and adapt and introduce with minimum delay the new European driving cycle and the approval standards for the different types of vehicles to ensure that standards deliver real world emission values, especially in the urban drive cycle.
- ⇒ In addition to road transport, action is also urgently needed in the industrial, agricultural, and shipping sector.

***Please find more detailed proposals on source based policy in Annex.***

#### **4. An integrated approach**

- The proposal of the European Commission concerning the General Union Environment Action programme to 2020 acknowledges the need for full integration of environmental issues with other policy areas. CEMR fully support this view.
- The air quality policy does in general lead to synergies with, among others, climate, industry, transport, housing, energy and noise policies. CEMR believes that effective integration could be reached by **aligning the timeframes and action plans** of the strategies of as much as possible. The General Union Environment Action programme to 2020 could provide a strong basis for this.
- In addition, consistency and synergy are also very important to ensure that measures do not **negatively affect each other**. For example, diesel driven vehicles with lower carbon dioxide emissions are at the same time the main source of PM and NOx/NO2 emissions. These kind of effects should be taken into account.
- In this respect, CEMR hopes that the review of the EU air policy will not be an initiative of the sole Directorate-General for Environment of the European Commission, but that the Directorates-General Enterprise and Mobility and Transport will also actively take part in the achievements of the objectives of the revised Thematic Strategy on air.

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<sup>8</sup> [Directive 2001/81/EC](#)

## 5. Boosting knowledge exchange and innovation

As said before, CEMR acknowledges the important role that regional and local authorities have in ensuring good air quality standards. A lot is being done already and examples of innovative action are plenty. But we see much more can and needs to be done. Therefore we would ask the European Commission to:

- Support innovation and enhance the exchange of existing knowledge, for example through **competence building programmes** and more effective use of existing **EU funding** sources.
- Support additional **new funding schemes** on EU and national level to enhance environmentally friendly mobility, for example by investing in cleaner public transport. In the respect CEMR would welcome the proposed option of setting up an **Urban Clean Air Programme**.

**See below:**

**ANNEX:** Detailed views on issues raised in the CEMR position paper

## **Annex: Detailed views on issues raised in the CEMR position paper**

### **I. Measures at source**

CEMR would like to see the following measures and actions taken up in the new EU air policy:

- stick closely to the timetable for the introduction of Euro 6/VI standards;
- ensure to close the current gap between official test cycle emissions and actual vehicle emissions during day-to-day use (emissions under real-world driving are higher than expected);
- encourage initiatives which can reduce the primary PM<sub>10</sub> emissions from road transport sources. Brake and tyres wear for example contribute to the high concentrations of particulate matter. To encourage the industry to support this research, an intention could be stated to set standards for brake systems in the vehicle type approval regime and to include tyre wear in the EU labeling scheme for tyres;
- promote clean fuels for all sorts of traffic could lead to a large improvement of the emissions;
- develop an integrated approach to the nitrogen cycle, as already formulated under the current Thematic Strategy;
- ensure regular revision of the BREFs by the industry and agricultural holdings;
- regarding agriculture: set tighter emission ceilings for ammonia for 2020 and 2030;
- regarding the combustion sector the largest emissions come from installations above 50MW and are therefore the most important to focus on. CEMR requests the frequent actualization of BREF documents;
- for emissions from combustion installations above the Eco-design threshold but below 50 MW, CEMR would like to see product standards, applicable for new installations only;
- CEMR would like to stress that existing local regulations for the combustion installations which are stricter than the future EU approach should remain valid;
- regarding the shipping industry: ensure the application of the IMO guidelines;
- draw up a list of (at least) elemental or black carbon emissions and set up a monitoring process to identify new atmospheric pollutants.
- Finally, CEMR would like to stress that the emissions policy should be based on standards rather than technology, in order to prevent holding back technological innovations.

### **II. Ambient Air quality directive**

#### **Simplification**

The current directive contains 27 limit and target values and many different standards ( i.e. limit values, target values, long term objectives and critical levels) which pose considerable administrative burdens on local and regional authorities and make it rather complicated to inform the public and even policy makers. In that respect CEMR proposes:

- to investigate the option of reducing the number target and limit values by focusing on the most polluting substances and on those indicators that best reflect the health aspects;
- to consider whether the concept of target values does in fact have any added value in relation to the already provided limit values. Target values entail the risk that efficient measures are not being taken, because there are no consequences when they are exceeded.

#### **Elemental carbon / black carbon**

CEMR would like to highlight that it is important to find the measures which represents best actual threats to human health, without changing the system with every revision of the air quality directives. In that respect CEMR would like to stress that:

- PM<sub>2.5</sub> and PM<sub>10</sub> mass based limit values are not source specific enough to protect human health. Some studies indicate that elemental carbon (EC/black carbon) seem to be better indicators for the components of air pollution linked to motor-vehicle traffic that impact human health;
- The European Commission could further support research into the health effects of particles and its composites in order to determine the best indicator and get an impression of possible limit value;
- Given the administrative costs of a possible transfer, a cost-benefit analysis should be made.

### **Particulate air pollution**

- Limit values for PM<sub>10</sub> are difficult to comply with in some places. This is mainly due to local circumstances, local sources, certain specific meteorological conditions and periods of large scale pollution. CEMR would like the European Commission to take into account that:
- There is a strong correlation between the annual average value and the number of days when daily average exceeds the limit value. The daily value is stricter than annual average value. We would like to ask the European Commission to examine whether annual average value could be used for check on basis of multi- year average conditions;
- It is unsure whether local and regional authorities will be able to meet the PM<sub>2.5</sub> limit value and the reduction percentage, as there is not enough information available and the impact of measures cannot yet be quantified. Take this lack of data into account when evaluating the PM<sub>2.5</sub> standards and take this into consideration in allowing more time to meet the standards in certain cases.

### **NOx/NO<sub>2</sub>**

- Since there are concerns over the actual health impacts of NO<sub>2</sub>, CEMR asks the Commission to reconsider its indicator function and the revision of the limit value.
- CEMR would also like the European Commission to reconsider whether the average hourly concentration NO<sub>2</sub> is really necessary, as the annual limit value seems to be stricter and it is impossible to take measures at local level to reduce average hourly concentrations of NO<sub>2</sub>.
- In view of specific issues with reducing NO<sub>2</sub>/NO<sub>x</sub> levels, extensions (additional derogations) should be extended if the Member State has shown that all reasonable measures have been taken.
- The NO<sub>2</sub> limit value has always been regarded as an indicator for combustion emissions. In recent times there are more catalytic processes which remove NO<sub>2</sub> or NO<sub>x</sub> from the emissions but other damaging components may remain. It is important to take this into account.

### **Ozone**

- Reducing high ozone concentrations (mainly in southern European cities) is primarily a challenge of national and European policy, since local authorities have very little ability to affect these concentrations. However, CEMR believes that an emissions policy on volatile organic compounds would be the most effective measure.
- Member states have limited influence on peak ozone concentrations. Although peak days are decreasing, background concentrations of ozone are rising. We ask the EC to take this into account while evaluating the target values.
- In addition we would propose to focus the efforts on reducing emissions of ozone precursor gases (by revising the National Emission Ceilings directive and tighter sectoral legislation for key sources).

### **Monitoring**

- CEMR would like to stress that specific rules are needed regarding the location of measuring stations, in order to avoid incomparable findings due to different locations and different number of stations.
- There is no need for uniform European calculation models, as national models do provide useful additional information for national, regional and local policy development.

- However, the different assessment policies may not lead to different conclusions regarding the need to take action
- CEMR is of the opinion that the spatial resolution, accuracy and precision of satellite data is still too low to be used in air quality monitoring at local level.
- Large number of people spends most of their time indoors. CEMR would like to point out that the relationship between outdoor air pollution and indoor air quality is not yet clearly explored.

### **Flexibility**

- European legislation should take weather conditions into account by making provisions for years with extreme meteorological conditions, for example by introducing a multi-annual average.
- Take into account the connection between economic trends and air pollution (economic crisis: less economic activity will lower emissions, but also less sources for innovation).

### **Coordination between Member States**

- CEMR would call upon the European Commission to also pay attention to the issue of better coordination between Member States to avoid current issues like different information and warning thresholds, the lack of real time information exchange during episodes pollution and uncoordinated action.



## Contact

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## About CEMR

The Council of European Municipalities and Regions (CEMR) is the broadest organisation of local and regional authorities in Europe. Its members are over 50 national associations of municipalities and regions from 41 European countries. Together these associations represent some 150 000 local and regional authorities.

CEMR's objectives are twofold: to influence European legislation on behalf of local and regional authorities and to provide a platform for exchange between its member associations and their elected officials and experts.

Moreover, CEMR is the European section of United Cities and Local Governments (UCLG), the worldwide organisation of local government.

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