

Brussels, 11 December 2009

Commission decisions object to vast majority of Member State requests for more time to comply with EU air quality legislation

The European Commission today adopted three decisions concerning requests from Bulgaria, Poland and the United Kingdom for additional time to comply with EU legislation on air quality. The decisions relate to requests for temporary exemptions in 97 zones or agglomerations from the EU's air quality standards for dangerous airborne particles known as PM₁₀. The decision addressed to Poland also concerned a request for a temporary postponement of the deadline to meet the Nitrogen dioxide (NO₂) limit values in one zone. The Commission decisions approve time extensions for PM₁₀ in five air quality zones in Poland but objected to all other requests. Some 17 decisions have already been adopted in 2009. The vast majority of air quality zones in the EU did not satisfy the conditions for a time extension, or were already found to be in compliance with the limit values.

Environment Commissioner Stavros Dimas said: "Air pollution has serious impacts on human health and compliance with the standards must be our utmost priority. The 2008 EU air quality Directive recognises the difficulties some Member States have experienced in meeting the standards for PM₁₀ by the initial deadline of 2005 and allows the possibility of a limited time extension. However, the Commission expects Member States to clearly demonstrate that they are doing their utmost to comply with EU standards in the shortest possible time."

The Commission decisions

The Commission has decided that in five air quality zones in Poland the notified exemptions satisfy the conditions in the Directive.

In the remaining zones in Poland, as well as all zones in Bulgaria and the United Kingdom, the Commission considered that the conditions have not been met. In many cases, this is because insufficient data has been provided or because the measures outlined in the air quality plans submitted to the Commission do not demonstrate that the standards will be met when the exemption period expires.

The Commission's assessment also shows that in some cases exemptions will not be necessary since compliance with the limit values has already been achieved. This is the case in the United Kingdom, where all air quality zones except the Greater London zone were in compliance in 2008. The Commission found the air quality plan for this particular zone did not meet the minimum requirements of the Directive for a time extension.

Where the Commission has raised objections to requests for time extensions, Member States may put forward further requests if they provide new information to demonstrate fulfilment of the conditions.

Twenty decisions on time extensions concerning 18 Member States¹ have now been adopted during 2009. The Commission decided that the conditions for an exemption from the PM₁₀ limit values were satisfied in 48 air quality zones in Austria, Cyprus, the Czech Republic, Germany, Hungary, Italy, the Netherlands, Poland and Spain. The conditions for a postponement of the NO₂ limit values were also satisfied in 9 zones in the Netherlands. In these cases, it has been demonstrated that compliance will be achieved at the expiry of the time extension period through comprehensive air quality plans.

Health impacts

Airborne particles (PM₁₀) are mainly emitted by industry, traffic and domestic heating and can cause asthma, cardiovascular problems, lung cancer and premature death. Nitrogen dioxide (NO₂) is mainly emitted by traffic or other fuel combustion processes and can cause respiratory illnesses and damage to lung tissue.

Air quality legislation

EU air quality legislation sets binding limit values and/or indicative target values for the maximum permitted concentrations of certain pollutants in the air. Action to reduce pollution through an air quality plan is required where there is a risk of these standards being exceeded.

There are two binding air quality limit values for particulate matter (PM₁₀) based on daily and annual average concentrations. These entered into force on 1 January 2005. Two limit values for Nitrogen dioxide (NO₂) based on hourly and annual average concentrations will enter into force on 1 January 2010.

The 2008 air quality Directive² allows Member States, under strict conditions, time extensions for meeting the air quality standards for PM₁₀ (until 11 June 2011) and NO₂ and benzene (until 2015 at the latest). During the extension period, limit values continue to apply plus a margin of tolerance.

Enforcement action is underway against 10 Member States that have not submitted notifications or to which the Commission has already addressed a decision objecting to a time extension and which continue to exceed the PM₁₀ limit values (see [IP/09/174](#)).

For further information on time extensions:

http://ec.europa.eu/environment/air/quality/legislation/time_extensions.htm

For further information on limit values for pollutants:

<http://ec.europa.eu/environment/air/quality/standards.htm>

¹ Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, France, Germany, Greece, Hungary, Italy, Latvia, the Netherlands, Poland, Portugal, the Slovak Republic, Spain and the United Kingdom.

² Directive 2008/50/EC