

Air quality: Commission sends final warning to UK over levels of fine particle pollution

The European Commission is pursuing legal action against the UK for failing to comply with EU air quality standards for dangerous airborne particles known as PM₁₀. These particles emitted mainly by industry, traffic and domestic heating, may have negative effects on health leading to asthma, cardiovascular problems, lung cancer and premature death. A second and final written warning has been sent to the UK for still exceeding the limit values for PM₁₀ in a number of zones.

Environment Commissioner Janez Potočnik said: "Air pollution is bad for our health. It reduces human life expectancy by more than eight months on average and by more than two years in the most polluted cities and regions. Member States must comply with EU air quality standards quickly and reduce air pollutant emissions."

Final warning for UK over PM₁₀ levels

The Commission started this legal action because a number of zones in the UK were exceeding the PM₁₀ limit values in 2005, 2006 and 2007. The Commission is now sending a final warning to the UK for breaching EU air quality standards. According to the latest data provided, two areas, namely the Greater London Urban Area and Gibraltar, have exceeded the limits for PM₁₀.

This is the latest in a series of legal actions taken by the Commission against Member States following the entry into force in June 2008 of the new EU Air Quality Directive¹. The Directive allows Member States to request, under certain conditions and for specific parts of the country, limited extra time to meet the PM₁₀ standards which have been in force since 2005.

First warning letters were sent at the beginning of 2009 to Member States that had not by then submitted notifications for time extensions or had not notified the Commission about all air quality zones exceeding the limit values for PM₁₀. As a result, most Member States involved submitted notifications for a time extension.

The UK submitted an exemption request for eight zones including the Greater London Urban Area. However, the Commission did not consider the exemption justified, as seven out of the eight zones already complied with the limit values. For the Greater London Urban Area, the Commission considered that the UK had not shown that compliance with the daily PM₁₀ limit value would be achieved by the time the exemption period expired in 2011. The UK has recently sent a further exemption request for Greater London, which is still under assessment. However, given that zones still exceed the PM₁₀ limit values, the Commission is sending the UK a final warning. If the UK fails to take the necessary measures to comply with the legislation, the Commission could refer the case to the European Court of Justice.

¹ Directive 2008/50/EC on ambient air quality and cleaner air for Europe see [MEMO07/571](#) and [IP/08/570](#)),

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.

Limit values for PM₁₀ impose both an annual average concentration value of 40 micrograms (µg)/m³, and a daily concentration value of 50 µg/m³ which must not be exceeded more than 35 times per calendar year. These entered into force on 1 January 2005.

The 2008 Air Quality Directive 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.

Case number:

2008/2205

Useful links:

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>

For current statistics on infringements in general, see:

http://ec.europa.eu/community_law/infringements/infringements_en.htm