

NGO priorities for the review of the Thematic Strategy on Air Pollution

This paper gathers the views of 60 environmental, health and citizens' NGOs from across the EU which came together to submit their input to the European Commission's consultation on the review of the Thematic Strategy on Air Pollution. Below are the three priorities for which we would like to see legislative action in 2013.

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Background

Air pollution remains a major environmental and health problem across the EU. High concentrations of particulate matter (PM) and ozone are most harmful to human health. In urban areas, between 80 and 97% of the population is exposed to levels of pollution which are above the World Health Organisation's (WHO) guidelines for health protection¹. This results in nearly half a million premature deaths in the EU each year², increased hospital admissions, extra expenditure on medication, and millions of lost working days.

Air pollution has a major impact on Member States' finances. In the year 2000 alone, the health damage from air pollution amounted to between €277 and €790 billion³. This 'only' covers health costs, not all other damages, for instance to ecosystems, crops and materials. Air pollution damages nature and biodiversity with the deposition of acidifying and eutrophying substances still exceeding the critical loads of sensitive ecosystems over large areas in Europe.

In January 2013, the WHO concluded that since 2005 considerable amounts of new scientific evidence has been published that more than confirms the WHO Air Quality Guidelines⁴. Worse, new evidence shows that damaging effects can occur at levels lower than the 2005 Guidelines. The range of health impacts also appears to be much broader than previously thought, with new evidence of links with neurodevelopmental and cognitive function effects as well as with diabetes.

Despite the fact that evidence concerning the harmful impacts of air pollution has continued to pile up, the recent history of the EU's air pollution policy has been characterized by several delays and missed opportunities, including the introduction of time extensions into the Air Quality Directive in 2008 and repeated postponements of the revision of the National Emissions Ceilings (NEC) Directive.

During the 2013 "Year of Air", the EU has a chance to make things right. A package of proposals is expected to be published by the European Commission around September. Below, we highlight three priority actions which, combined, could put the EU on the right track towards the achievement of "levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment"⁵. These are:

¹ "Air quality in Europe – 2012 report." EEA Technical Report No 4/2012.

² "Assessment of the health impacts of exposure to PM_{2.5} at a European level." ETC/ACC Technical Paper 2009/1 (June 2009).

³ "CAFE CBA Baseline Analysis 2000-2020." (April 2005). Report to the European Commission by AEA Technology UK.

⁴ "Review of evidence on health aspects of air pollution – REVIHAAP". WHO, January 2013.

⁵ EU 6th Environmental Action Programme (6th EAP).

1. The adoption of ambitious emission reduction commitments in the revised NEC Directive, both for existing and 'new' pollutants;
2. The adoption of sector legislation to cut emissions from *all* major sources;
3. The enforcement and strengthening of ambient air quality limit values.

We call upon the three EU institutions to come up with an agreement on all three priority actions and to start working towards this objective as early as possible in 2013.

Priority Action 1: Ambitious emission reduction commitments in the revised NEC Directive

The NEC Directive is the cornerstone of EU legislation on air pollution control. In the Commission's 2005 Thematic Strategy on Air Pollution (TSAP), the revision of the NEC Directive was described as one of the key instruments to achieve the TSAP's interim objectives for 2020. The revision would set new emission ceilings for 2020, and expand the number of air pollutants covered from four to five by adding ceilings for fine particles (PM_{2.5}).

The NEC Directive has proven to be an effective tool to reduce air pollution and has been relatively well implemented by Member States. According to the latest reporting by national governments for the year 2011, 92 of the 108 ceilings have been met⁶. Several of the 16 expected breaches are minor. Under business as usual, all 2010 ceilings are expected to be broadly met by 2020⁷. The same applies to the 2020 commitments made by the EU and Member States under the revised Gothenburg Protocol, which shows even weaker ambition than the business as usual scenario⁸. Meeting the Gothenburg Protocol targets will therefore not require any additional efforts by Member States, nor would it deliver any additional benefits in terms of air quality.

There are strong reasons to aim high for ambitious emission reduction commitments in the revised NEC Directive. The cost-benefit analyses prepared for the NEC Directive revision and for the Gothenburg Protocol revision show that the monetised health benefits alone significantly exceed the estimated costs, even for the highest reduction levels analysed⁹. An ambitious NEC Directive is key to reduce the health and environmental damage caused by transboundary air pollution and thus to achieve the objectives of the EU's 6th Environmental Action Programme.

We therefore call upon the European Commission, European Parliament and Council to adopt ambitious binding emission reduction commitments for 2020, 2025 and 2030. The level of ambition for 2020 should go significantly beyond those of the revised Gothenburg Protocol and the 2005 TSAP. For 2030, the aim should be to have made significant progress to achieve the long term objectives of the 6th EAP, i.e. "levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment."

An ambitious revised NEC Directive can also make a major contribution to tackling climate change. This can be achieved through binding reduction commitments for methane, a potent greenhouse gas and ozone precursor which impacts both human health and the environment, as well as for black carbon, under a new mandatory commitment for PM_{2.5}.

⁶ "NEC Directive Status Report". EEA Technical report No 6/2012.

⁷ TSAP Report #1. « Future emissions of air pollutants in Europe – Current legislation baseline and the scope for further reductions » (June 2012).

⁸ "Environmental improvements of the revision of the Gothenburg Protocol". CIAM Report 1/2012 (May 2012).

⁹ "Cost-benefit Analysis of Scenarios for Cost-Effective Emission Controls after 2020". EMRC, November 2012.

We therefore call upon the European Commission to propose ambitious new emission reduction commitments for the four already regulated pollutants, PM_{2.5} and methane and to propose new action to control emissions of black carbon and mercury.

Priority Action 2: Adoption of sector legislation to cut emissions from *all* major sources

Source policy has been identified by a large number of stakeholders including regional and city authorities as one of the most effective ways of cutting air pollution. It can deliver quick and effective reductions of certain emissions and thus help to achieve air quality standards more easily.

A number of sources have been identified as particularly problematic because of their large emissions of harmful air pollutants. They include the agriculture sector (ammonia, methane, primary PM), domestic solid-fuel combustion (PM, VOCs), small industrial combustion plants (NO_x, SO₂, PM), road vehicles (NO_x, PM), non-road mobile machinery (NO_x, PM), international shipping (SO₂, NO_x, PM) and solvent use (VOCs).

For these sources, despite the existence of significant reduction potentials and well documented readily available abatement techniques or alternatives, the EU legislative framework is insufficient, inadequate or non-existent. If no action is taken in these areas, additional efforts will have to be made elsewhere, for instance in local air quality management or in further reducing emissions from other already regulated sources which might be more difficult and/or costly. In addition, the political support for EU science-based air quality limit values depends to a significant extent on EU efforts to actually reduce the emissions concerned.

The review should look into both technical and non-technical potentials for these sources. For existing products, vehicles or construction machines, new standards are necessary but should be complemented by retrofit incentives, economic instruments, market surveillance and in-use compliance regimes.

We therefore call upon all three EU institutions to take immediate steps to regulate all sources where EU law is non-existent, insufficient or inadequate and for the European Commission to include sector specific proposals in its 2013 legislative package.

Priority Action 3: Enforcement and strengthening of EU's ambient air quality limit values

EU-wide binding limit values set to protect people's health and the environment have proven to be a very effective tool to improve air quality and trigger local action. In fact, these limits have been the main driver for action in many places in the EU.

But the current EU air quality standards are inadequate to protect our health. Compared to the WHO recommendations - and to standards in force in the United States¹⁰ - EU limits are lagging behind, in particular when it comes to fine particles (PM_{2.5}). More stringent standards would deliver many benefits in the medium and long term. Attaining the WHO recommended limits for PM_{2.5} in 25 large European cities alone could provide savings of €31.5 billion annually, including savings on health expenditures, absenteeism and intangible costs such as well-being, life expectancy and quality of life¹¹.

¹⁰ See US EPA webpage : <http://www.epa.gov/pm/actions.html>.

¹¹ "Summary report of the Aphekom project 2008-2011". March 2011. Available at: www.aphekom.org.

The strict enforcement of air quality limits is also crucial for the protection of citizens' health. The introduction of "flexibility" in the application of limit values, for example through the introduction of further time extensions or partnership agreements, could render limit values unenforceable and therefore meaningless.

The review should therefore aim to strengthen the EU-wide binding limit values and align them with the WHO recommended levels, especially for PM2.5. The Commission should also speed up infringement action and ensure that the provisions of the Aarhus Convention are fully implemented both within national legal systems and within EU air pollution legislation.

This would help to drive action in places where citizens are still exposed to unacceptably high levels of pollution, ensuring that the same level of minimum protection is guaranteed to all EU citizens, regardless of the place they live.

In 2005, the European Commission stated that "the magnitude of the effects of air pollution is too large to ignore" and that "doing nothing more beyond implementing existing legislation is not a sensible option."¹² Now, eight years later, it is high time for the European Commission to put these words into action and come forward with a legislative package with ambitious revisions, binding commitments and a comprehensive set of measures for all major sources concerned. This would benefit the EU's citizens, its environment and national budgets.

Supported by:

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European Public Health Alliance (EPHA)
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Center for Environment and Health, Czech Republic
Centre for Environmental Living & Training (CELT), Ireland

¹² Thematic Strategy on Air Pollution, Communication from the Commission to the Council and the European Parliament, 21 September 2005.

Centre for Sustainable Alternatives, Slovakia
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 Danish Society for Nature Conservation, Denmark
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 Peacelink, Italy
 Polish Ecological Club (PKE), Poland
 Réseau Environnement Santé (RES), France
 RESPIRE - Association Nationale pour la Prévention et l'Amélioration de la Qualité de l'Air, France
 Society for Sustainable Living (SSL), Czech Republic
 Verkehrsclub Deutschland (VCD), Germany
 Verkehrsclub Österreich (ÖCD), Austria
 WWF Italy
 Zielone Mazowsze, Poland

For more information, please contact one of the NGO representatives participating in the TSAP Review Stakeholder Expert Group:

EEB: Louise Duprez, louise.duprez@eeb.org
 HEAL: Anne Stauffer, anne@env-health.org
 T&E: Antoine Kedzierski, antoine.kedzierski@transportenvironment.org
 AirClim: Christer Ågren, christer.agren@airclim.org
 ClientEarth: Alan Andrews, aandrews@clientearth.org

