

EU LEGISLATION UPDATE

OCTOBER 2007



INFORMATION

Air quality policy developments

The European Commission has sent requests for information to 23 Member States that have reported exceeding the Particulate Matter 10 (PM 10=less than 10 microns in diameter) values which have enforced by an EU Directive since 1 January 2005. The letters require the Member States to provide information on the measures they are taking to eliminate or reduce the exceedances which are caused by road traffic and industry. This information will allow the Commission to better assess the extent of the problem and prepare responses in particular in light of the ongoing discussion in the Council and European Parliament on the new proposal which aims to introduce standards for fine particles - PM2.5 - which are more dangerous as they penetrate deeper into the lungs.

In recent discussions on the new proposal, the European Parliament's Environment Committee voted to amend the compromise agreed by the Member States in Council by calling for tighter limits on fine particulate pollution but also calling for longer implementation deadlines. The committee want:

- a binding limit of 20 micrograms per cubic metre (ug/m³) on PM 2.5 microns in diameter to be met by 2015 rather than the 25 ug/m³ limit wanted by the Member States.
- Member States to be able to have an extra two years to meet the PM limits in difficult areas (the report makes reference to densely populated and industrial regions which have had severe difficulties in implementing the current Directive despite having taken efforts to improve air quality) although on the proviso that Governments demonstrate they have made all efforts to comply
- The extension to also apply to PM10.
- To reduce the annual limit on PM10 from 40 to 33 ug/m³ by 2010; and wants:
- the European Commission to consider removing the PM10 limits altogether when the Directive is next reviewed on the grounds that the limits on PM2.5 have the effect of limiting the coarser particulates.

EU proposes help to develop hydrogen cars

The European Commission has adopted two proposals to help the development of hydrogen powered cars - one creates a public-private partnership to drive research into hydrogen power; the second recommends bringing hydrogen cars into the EU's standard vehicle type approval system.

The Commission recognises that the potential of hydrogen powered cars to reduce car emissions is going to be small in the immediate future and that hydrogen power does not automatically cut greenhouse gas emissions because it is not yet possible to guarantee hydrogen will not be obtained from fossil energy sources. However, the Commission also recognises the need to support the development of the technology and the market for the product.

National developments:

Emissions in Austria increase

The Austrian environmental assessment agency has reported that Austrian emissions of particulate matter (PM10) and nitrogen dioxide (NO₂) exceeded EU limit values many times in 2006: the average PM10 values broke legal limits at 70 of 111 measuring stations, against 58 and 28 times in preceding years; that NO₂ continued a rising trend since 2000 (with road traffic the main culprit); and that Ozone levels were above average in 2006 and that the EU's 2010 target value for ozone was exceeded at 57 per cent of measuring stations.

Report claims that the UK can cut car emissions by 30 per cent by 2030

A UK Treasury report has stated that the UK can achieve a 30 per cent cut in carbon dioxide emissions from road transport by 2030 – on the grounds that car emissions per kilometre could be halved by that date. It also notes that there would also be an increase in distance travelled – but that the reduction can be achieved through a combination of cleaner fuels, new vehicle technology and consumer action.

Dutch parliament approves air quality law

The Dutch Upper House has supported a comprehensive new air quality law that mandates local authorities to establish programmes to address air pollution hot-spots such as created by traffic pollution.

Portuguese budget tackles car taxation

The 2008 Portuguese budget includes a proposal for the proportion of a vehicle purchase tax to be calculated on the basis of carbon dioxide emissions to rise from 30 to 60 per cent. The budget will also benefit from €23m in emission-based circulation taxes which are designed to stimulate purchases of petrol and hybrid cars in place of diesel cars.

Spain adopts air quality and climate law

The Spanish Parliament has approved legislation to cut greenhouse gas emissions and reduce air pollution which includes a new car tax which will be differentiated into four brackets depending on engine emission levels - vehicles emitting under 120 grams of CO₂ per kilometre (g/km) will be exempt, while a highest tax rate - 14.75 per cent - will apply to vehicles emitting over 200g/km and to pleasure vehicles such as jet skis and quad bikes. In parallel, cities of over 100,000 people will have to take stronger action to measure and curb air pollutant emissions. Urban plans will have to take into account air quality plans and limits and public access to air quality information will be improved.

The FIVA Legislation Commission members are: Winfried Kallinger (Chairman), Tiddo Bresters (Vice Chairman), Lars Genild (Vice Chairman), Patrick Rollet (Member/Secretary), Andrew Burt (Member), David Davies (Member), Carla Fiocchi (Member), Zoltán Gárdos (Member), Adalberto Gueli (Member), Maik Hirschfeld (Member), Horst Brüning (Member coopted), Peeter Henning (Member coopted), and Andrew Turner of EPPA works with the Committee.