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## TEXTS ADOPTED

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### P9\_TA(2023)0318

#### Ambient air quality and cleaner air for Europe

Amendments adopted by the European Parliament on 13 September 2023 on the proposal for a directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe (recast) (COM(2022)0542 – C9-0364/2022 – 2022/0347(COD))<sup>1</sup>

(Ordinary legislative procedure – recast)

#### Amendment 1

##### Proposal for a directive

##### Recital 2

###### *Text proposed by the Commission*

(2) In December 2019, the European Commission set out in its Communication ‘The European Green Deal’<sup>40</sup> an ambitious roadmap to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, aiming to protect, conserve and enhance the Union’s natural capital, and to protect the health and well-being of citizens from environment-related risks and impacts. Specifically on clean air, the **European Green Deal** committed to further improving air quality and to aligning EU air quality standards more closely with the recommendations of the World Health Organization (WHO). It also announced a strengthening of provisions on air quality monitoring, modelling and planning.

###### *Amendment*

(2) In December 2019, the European Commission set out in its Communication ‘The European Green Deal’<sup>40</sup> an ambitious roadmap to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, aiming to protect, conserve and enhance the Union’s natural capital, and to protect the health and well-being of citizens from environment-related risks and impacts. Specifically on clean air, the **Commission** committed **itself** to further improving air quality and to aligning EU air quality standards more closely with the recommendations of the World Health Organization (WHO). It also announced a strengthening of provisions on air quality monitoring, modelling and planning.

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<sup>1</sup> The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A9-0233/2023).

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<sup>40</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal; COM(2019) 640 final.

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<sup>40</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions The European Green Deal; COM(2019) 640 final.

## Amendment 293

### Proposal for a directive

#### Recital 4

##### *Text proposed by the Commission*

(4) The Zero Pollution Action Plan also sets out a vision for the year 2050, where air pollution is reduced to levels no longer considered harmful to health and natural ecosystems. To this end, **a staged** approach towards setting current and future EU air quality standards should be pursued, establishing intermediate air quality standards for **the year** 2030 and beyond, and developing a perspective for alignment with the WHO Air Quality Guidelines by the year 2050 at the latest based on a regular review mechanism to take into account the latest scientific **understanding**. Given the links between pollution reduction and decarbonisation, the long-term objective to achieve the zero pollution ambition should be pursued hand in hand with reduction of greenhouse gas emissions as set by Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>42</sup>.

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<sup>42</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate

##### *Amendment*

(4) The Zero Pollution Action Plan also sets out a vision for the year 2050, where air pollution is reduced to levels no longer considered harmful to health and natural ecosystems. To this end, **an ambitious** approach towards setting current and future EU air quality standards should be pursued, establishing **air quality standards for the year 2035, including** intermediate air quality standards for 2030, and **at regular intervals** beyond, and developing a perspective for **continuous full** alignment with the **most up-to-date** WHO Air Quality Guidelines **in order to achieve the zero pollution objective** by the year 2050 at the latest based on a regular review mechanism to take into account the latest scientific **evidence**. Given the links between pollution reduction and decarbonisation, the long-term objective to achieve the zero pollution ambition should be pursued hand in hand with reduction of greenhouse gas emissions as set by Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>42</sup>.

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<sup>42</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate

Law’) (OJ L 243, 9.7.2021, p. 1–17).

Law’) (OJ L 243, 9.7.2021, p. 1–17).

### **Amendment 3**

#### **Proposal for a directive**

#### **Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) In September 2021, the WHO released new Air Quality Guidelines, based on a comprehensive synthesis of the scientific evidence on health effects of air pollution. The conclusions of these Air Quality Guidelines specifically stress the importance of lowering the pollution concentrations at every level and show clear benefits for public health and the environment of such actions. This Directive takes into account the latest scientific understanding and the need to fully align the Union air quality standards with the most recent WHO Air Quality Guidelines in order to fulfil the overall objectives of the Zero Pollution Action Plan.***

### **Amendment 4**

#### **Proposal for a directive**

#### **Recital 4 b (new)**

*Text proposed by the Commission*

*Amendment*

***(4b) The societal benefits from the continued and improved reduction of air pollution far outweigh the costs involved. According to Commission estimates, the annual direct costs of complying with various policy scenarios analysed under the impact assessment accompanying this Directive are between EUR 3,3 billion and EUR 7 billion, and the monetised health and environmental benefits are between EUR 36 billion and EUR 130 billion in 2030, thereby demonstrating that benefits of the air quality policy greatly exceeded implementation cost. Since the year 2000,***

*air-polluting emissions in the Union have steadily decreased as a result of Union and national legislation.*

## Amendment 5

### Proposal for a directive

#### Recital 5

*Text proposed by the Commission*

(5) In taking the relevant measures at Union and national level to achieve the zero pollution objective for air pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’ **and** the ‘polluter pays principle’ established in the Treaty on the Functioning of the European Union, **and** the ‘do no harm’ principle of the European Green Deal. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment, the well-being of citizens, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy poverty; food security and affordability; the development of sustainable and smart mobility and transport solutions; the impact of behavioural changes; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through appropriate education and training programmes; best available and most recent scientific evidence, in particular the findings reported by the WHO; the need to integrate air pollution related risks into investment and planning decisions; cost-effectiveness and technological neutrality in achieving air pollutant emission reductions; and progression over time in environmental integrity and level of

*Amendment*

(5) In taking the relevant measures at Union and national level to achieve the zero pollution objective for air pollution, Member States, the European Parliament, the Council and the Commission should be guided by the ‘precautionary principle’, the ‘polluter pays **principle**’ **and the ‘prevention and rectifying pollution at source principle**’ established in the Treaty on the Functioning of the European Union, the ‘do no harm’ principle of the European Green Deal **and the respect of the human right to a clean, healthy and sustainable environment**. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment **and ecosystem resilience**, the well-being of citizens, **equality and the protection of sensitive population and vulnerable groups, healthcare costs, the achievement of the Sustainable Development Goals (SDGs), the role of civil society**, the prosperity of society, employment and the competitiveness of the economy; the energy transition, strengthened energy security and the tackling of energy poverty; food security and affordability; the development of sustainable and smart mobility and transport solutions **and their infrastructure**; the impact of behavioural changes; **the impact of fiscal policies**; fairness and solidarity across and within Member States, in light of their economic capability, national circumstances, such as the specificities of islands, and the need for convergence over time; the need to make the transition just and socially fair through

ambition.

appropriate education and training programmes, **including for healthcare professionals**; best available and most recent scientific evidence, in particular the findings reported by the WHO; the need to integrate air pollution related risks into investment and planning decisions; cost-effectiveness, **the best available technological solutions** and technological neutrality in achieving air pollutant emission reductions; and progression over time in environmental integrity and level of ambition, **guided by the non-regression principle established in the Charter of Fundamental Rights of the European Union**.

## Amendment 6

### Proposal for a directive Recital 5 a (new)

*Text proposed by the Commission*

*Amendment*

**(5a) This Directive contributes to the attainment of the SDGs, in particular SDGs 3, 7, 10, 11 and 13.**

## Amendment 7

### Proposal for a directive Recital 6

*Text proposed by the Commission*

*Amendment*

(6) The ‘Eighth General Union Environment Action Programme to 2030’ adopted by Decision (EU) 2022/591 of the European Parliament and of the Council on 6 April 2022<sup>43</sup> establishes **the objective** to achieve a non-toxic environment protecting the health and well-being of people, animals and ecosystems from environment-related risks and negative impacts, and, for that purpose, stipulates that further improvement of monitoring methods, better information to the public and access to justice are needed. This guides the

(6) The ‘Eighth General Union Environment Action Programme to 2030’ adopted by Decision (EU) 2022/591 of the European Parliament and of the Council on 6 April 2022<sup>43</sup> establishes **as one of its priority objectives** to achieve a non-toxic environment protecting the health and well-being of people, animals and ecosystems from environment-related risks and negative impacts, and, for that purpose, stipulates, **inter alia**, that further improvement of monitoring methods, **better transboundary coordination**, better

objectives set in this Directive.

information to the public and access to justice are needed. This guides the objectives set in this Directive.

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<sup>43</sup> Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22–36).

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<sup>43</sup> Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22–36).

## Amendment 8

### Proposal for a directive

#### Recital 7

##### *Text proposed by the Commission*

(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment and technological ***development***. Based on the review, the Commission should assess whether applicable air quality standards are still appropriate to achieve the objectives of this Directive. The first review should be carried out by 31/12/2028 to assess whether air quality standards need to be updated based on the latest scientific information.

##### *Amendment*

(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment, ***health inequalities, direct and indirect healthcare costs associated with air pollution, environmental costs, and behavioural, fiscal and technological developments***. Based on the review, the Commission should assess whether applicable air quality standards are still appropriate to achieve the objectives of this Directive. The first review should be carried out by 31/12/2028 to assess whether air quality standards need to be updated based on the latest scientific information. ***The Commission should regularly assess the contribution of Union legislation laying down emissions standards for sources of air pollution to the achievement of the air quality standards established by this Directive and, where necessary, propose additional Union measures.***

## Amendment 9

### Proposal for a directive

#### Recital 10

*Text proposed by the Commission*

(10) Modelling applications should be applied to enable point data to be interpreted in terms of geographical distribution of concentration, to help to detect breaches of air quality standards, and to inform air quality plans and the placement of sampling points. In addition to the requirements for air quality monitoring defined in this Directive, for monitoring purposes, Member States are encouraged to exploit information products and supplementary tools (e.g. regular evaluation and quality assessment reports, policy online applications), provided by the Earth Observation component of the EU Space Programme, in particular the Copernicus Atmosphere Monitoring Service (CAMS).

**Amendment 10**

**Proposal for a directive**  
**Recital 11**

*Text proposed by the Commission*

(11) It is important that pollutants of emerging concern, such as ultrafine particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in order to support scientific understanding of their effects on health and the environment, as recommended by the WHO.

**Amendment 11**

*Amendment*

(10) **Where relevant**, modelling applications should be applied to enable point data to be interpreted in terms of geographical distribution of concentration **of pollutants**, to help to detect breaches of air quality standards, and to inform air quality plans and **air quality roadmaps and** the placement of sampling points. In addition to the requirements for air quality monitoring defined in this Directive, for monitoring purposes, Member States are encouraged to exploit information products and supplementary tools (e.g. regular evaluation and quality assessment reports, policy online applications), provided by the Earth Observation component of the EU Space Programme, in particular the Copernicus Atmosphere Monitoring Service (CAMS).

*Amendment*

(11) It is important that pollutants of emerging concern, such as ultrafine particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in order to support scientific understanding of their effects on health and the environment, as recommended by the WHO, **and with a view to establishing limit values for them in the framework of the first review of this Directive in 2028. The Commission should continue to monitor scientific developments regarding any other pollutants not covered by this Directive and assess the need to extend its provisions to these pollutants.**

**Proposal for a directive**  
**Recital 12**

*Text proposed by the Commission*

(12) Detailed measurements of fine particulate matter at rural background locations should be made in order to understand better the impacts of **this pollutant** and to develop appropriate policies. Such measurements should be made in a manner consistent with those of the cooperative programme for monitoring and evaluation of the long range transmission of air pollutants in Europe (EMEP) set up under the 1979 United Nations Economic Commission for Europe (UNECE) Convention on Long-range Transboundary Air Pollution approved by Council Decision 81/462/EEC of 11 June 1981<sup>44</sup> and its Protocols, including the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone of 1999, which was revised in 2012 .

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<sup>44</sup> Council Decision 81/462/EEC of 11 June 1981 on the conclusion of the Convention on long-range transboundary air pollution (OJ L 171, 27.6.1981, p. 11).

**Amendment 12**

**Proposal for a directive**  
**Recital 15**

*Text proposed by the Commission*

(15) In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission

*Amendment*

(12) Detailed measurements of fine particulate matter, **black carbon, mercury and ammonia** at rural background locations should be made in order to understand better the **transboundary contribution and the impacts of those pollutants**, and to develop appropriate policies, **including the possible introduction of limit values, target values or critical levels**. Such measurements should be made in a manner consistent with those of the cooperative programme for monitoring and evaluation of the long range transmission of air pollutants in Europe (EMEP) set up under the 1979 United Nations Economic Commission for Europe (UNECE) Convention on Long-range Transboundary Air Pollution approved by Council Decision 81/462/EEC of 11 June 1981<sup>44</sup> and its Protocols, including the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone of 1999, which was revised in 2012 .

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<sup>44</sup> Council Decision 81/462/EEC of 11 June 1981 on the conclusion of the Convention on long-range transboundary air pollution (OJ L 171, 27.6.1981, p. 11).

*Amendment*

(15) In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission



reduction measures at local, national and Union level, in particular when it comes to emissions from agriculture, industries, transport and energy generation. Therefore, emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards set for ambient air quality ***taking into account relevant World Health Organization standards, guidelines and programmes.***

reduction measures at local, national and Union level, in particular when it comes to emissions from agriculture, industries, transport, ***heating and cooling systems*** and energy generation. ***Relevant Union legislation such as on European vehicle emission standards or on industrial emissions are instrumental in further reducing ambient air pollution.*** Therefore, emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards set for ambient air quality ***on the basis of the latest scientific evidence as published in the most up-to-date WHO Air Quality Guidelines and in line with the Zero Pollution Action Plan for 2050.***

#### **Amendment 14**

##### **Proposal for a directive Recital 15 b (new)**

*Text proposed by the Commission*

*Amendment*

***(15b) The Commission should assess the consistency of any relevant draft measure or legislative proposal, including budgetary proposals, with the air quality standards set out in this Directive, before adoption, and include that assessment in any impact assessment accompanying those measures or proposals, and make the result of that assessment publicly available at the time of adoption. The Commission should endeavour to align its draft measures and legislative proposals with the objectives of this Directive. In any case of non-alignment, the Commission should provide its reasons as part of the consistency assessment.***

#### **Amendment 15**

##### **Proposal for a directive Recital 15 c (new)**

*Text proposed by the Commission*

*Amendment*

***(15c) Air pollutants emitted from the transport sector pose a particular risk to the health of people living in urban areas and near transport hubs. Member States and the relevant regional and local authorities should therefore consider implementing Sustainable Urban Mobility Plans and invest in zero-emission technologies and measures enabling a modal shift towards active, collective and sustainable transport systems, as well as the creation of green spaces and pedestrian areas in the cities with the aim to reduce air pollution and road congestion, especially in urban areas in line with the communication of the Commission of 9 December 2020 entitled ‘Sustainable and Smart Mobility Strategy - putting European transport on track for the future’. Member States should also take all necessary measures to accelerate the deployment of alternative fuels infrastructure, in particular electric recharging infrastructure for light- and heavy-duty vehicles, as well as carry out regular transport infrastructure quality checks to identify the areas in need of decongestion and infrastructure optimisation, and take appropriate measures, with the support of Union funding, where applicable.***

## **Amendment 16**

**Proposal for a directive  
Recital 15 d (new)**

*Text proposed by the Commission*

*Amendment*

***(15d) Air pollution from maritime transport alone leads to over 50 000 premature deaths annually in the Union<sup>1a</sup>. While the most detrimental part of maritime transport exhausts is sulphur dioxide pollution, NOx should not be forgotten. The impact of maritime***

*transport on the environment and on coastal communities, both in terms of ecosystem damage and public health, could be alleviated with a comprehensive electrification of short-distance and urban maritime transport, in addition to zero-emission requirements and infrastructure at berth. Moreover, comprehensive coverage of the Union maritime space under sulphur emission control area (SECA) and nitrogen emission control area (NECA) zones would significantly contribute to the reduction of air pollution in ports and port cities, as well as in Union waters.*

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*<sup>1a</sup> Brandt, J., Silver, J. D., and Frohn, L. M., Assessment of Health-Cost Externalities of Air Pollution at the National Level using the EVA Model System, CEEH Scientific Report No 3, 2011.*

## Amendment 17

### Proposal for a directive Recital 16

#### *Text proposed by the Commission*

(16) Scientific evidence shows that sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel, some polycyclic aromatic hydrocarbons and ozone are responsible for significant **negative impacts** on human health . Impact on human health and the environment occurs via concentrations in ambient air .

#### *Amendment*

(16) Scientific evidence shows that sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel some polycyclic aromatic hydrocarbons and ozone are responsible for **an array of significant adverse effects** on human health **that can result in premature death, and that there is no identifiable threshold below which those substances do not pose a risk to human health. Those substances damage most organ systems and are linked to many debilitating diseases, such as childhood and adult-onset asthma, cardiovascular diseases, chronic obstructive pulmonary disease, pneumonia, strokes, diabetes, lung cancer, impaired cognitive development**

*and dementia*. Impact on human health and the environment occurs via concentrations in ambient air *and via deposition*.

## Amendment 18

### Proposal for a directive Recital 16 a (new)

*Text proposed by the Commission*

*Amendment*

*(16a) Air pollution affects the human body, in both the short and long term, in ways that are detrimental to health. Even though air pollution is a universal health problem that affects everyone, the risks are not evenly distributed amongst the population, with some groups of people at greater risk of harm than others. Sensitive population and vulnerable groups, such as those with specific pre-existing health conditions (e.g. respiratory or cardiovascular diseases), pregnant women, newborns, children, the elderly, people living with disabilities or having inadequate access to medical care, and workers who are exposed to particularly high levels of air pollution in their profession, appear to be most at risk, as highlighted by studies linking air pollution to decreased cognitive performance among the elderly as well as suggesting that poor air quality is especially dangerous to children. Those groups should be informed and protected. This Directive recognises the increased risks and specific needs of sensitive population and vulnerable groups as regards air pollution and aims to address health inequalities caused by polluted air.*

## Amendment 19

### Proposal for a directive Recital 16 b (new)

*Text proposed by the Commission*

*Amendment*

***(16b) While ambient air pollution is a major environmental health risk affecting everyone and all Member States, there is ample evidence emerging on the associations between socio-economic status and air pollution, demonstrating in particular that the health of people of lower socio-economic status tends to be more affected by air pollution than the health of the general population as a result of their both greater exposure and higher vulnerability<sup>1a</sup>. Member States should take into account such factors when drafting, implementing or updating their air quality plans or air quality roadmaps to address effectively the social aspects of air pollution and to minimise the socio-economic impacts of measures taken.***

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***<sup>1a</sup> Unequal exposure and unequal impacts: social vulnerability to air pollution, noise and extreme temperatures in Europe, European Environment Agency, 2018.***

## **Amendment 20**

### **Proposal for a directive Recital 18**

*Text proposed by the Commission*

*Amendment*

(18) The average exposure of the population to the pollutants with the highest documented impact on human health, fine particulate matter (PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>), should be reduced based on WHO recommendations. To this end, an average exposure reduction obligation should be introduced for these pollutants, in addition to limit values.

(18) The average exposure of the population to the pollutants with the highest documented impact on human health, fine particulate matter (PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>), should be reduced based on ***the most up-to-date*** WHO recommendations. To this end, an average exposure reduction obligation should be introduced for these pollutants, in addition to limit values. ***The average exposure reduction obligation should complement and not substitute those limit values***

*which have demonstrated to be the most effectively enforceable standards to date.*

## Amendment 21

### Proposal for a directive

#### Recital 19

*Text proposed by the Commission*

(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC)<sup>45</sup> has shown that limit values are more effective in bringing down pollutant concentrations than target values. With the aim of minimising harmful effects on human health, paying particular attention to vulnerable groups and sensitive populations, and the environment limit values should be set for the concentration of sulphur dioxide, nitrogen dioxide, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air . Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air.

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<sup>45</sup> Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).

## Amendment 22

### Proposal for a directive

#### Recital 21

*Text proposed by the Commission*

(21) Ozone is a transboundary pollutant

*Amendment*

(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC)<sup>45</sup> has shown that limit values are more effective in bringing down pollutant concentrations than ***other types of air quality standards, such as*** target values. With the aim of minimising harmful effects on human health, paying particular attention to vulnerable groups and sensitive populations, and the environment limit values should be set for the concentration of sulphur dioxide, nitrogen dioxide, particulate matter, lead, benzene, carbon monoxide, arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air. ***To ensure effective protection against harmful effects on ecosystems, those limit values should be regularly updated in light of the most recent recommendations by the WHO.*** Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air.

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<sup>45</sup> Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).

(21) Ozone is a transboundary pollutant

formed in the atmosphere from the emission of primary pollutants addressed by Directive 2016/2284/EU of the European Parliament and of the Council<sup>46</sup>. Progress towards the air quality targets and long-term objectives for ozone set in this Directive should be determined by the targets and emission reduction commitments provided for in Directive 2016/2284/EU and, by implementing cost-effective measures and air quality plans .

formed in the atmosphere from the emission of primary pollutants, *some of which are* addressed by Directive 2016/2284/EU of the European Parliament and of the Council<sup>46</sup>. ***Ground-level ozone adversely affects not only human health but also vegetation and ecosystems, leading to decreased crop yields and forest growth, and loss of biodiversity.*** Progress towards the air quality targets and long-term objectives for ozone set in this Directive should be determined by the targets and emission reduction commitments provided for in Directive 2016/2284/EU and, by implementing cost-effective measures, ***air quality roadmaps*** and air quality plans .

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<sup>46</sup> Directive (EU) 2016/2284/EU of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p.1).

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<sup>46</sup> Directive (EU) 2016/2284/EU of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p.1).

## **Amendment 23**

### **Proposal for a directive**

#### **Recital 22**

##### *Text proposed by the Commission*

(22) The ozone target values and long-term objectives of ensuring effective protection against harmful effects on human health and vegetation and ecosystems from exposure to ozone should be updated in light of the most recent recommendations of the World Health Organization .

##### *Amendment*

(22) The ozone target values and long-term objectives of ensuring effective protection against harmful effects on human health and vegetation and ecosystems from exposure to ozone should be ***regularly*** updated in light of the most recent recommendations of the World Health Organization .

## **Amendment 24**

### **Proposal for a directive**

#### **Recital 23**

*Text proposed by the Commission*

(23) An alert threshold for sulphur dioxide, nitrogen dioxide, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and ozone, **and an information threshold for ozone**, should be set for the protection of the general population, **vulnerable and sensitive sections, respectively**, from brief exposures to elevated **ozone** concentrations. Those thresholds should trigger the dissemination of information to the public on the risks of exposure and the implementation, **if appropriate**, of short-term measures to reduce pollution levels where the alert threshold is exceeded.

*Amendment*

(23) An alert **threshold and an information** threshold for sulphur dioxide, nitrogen dioxide, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and ozone should be set for the protection of the general population, **and especially sensitive population and vulnerable groups**, from brief exposures to elevated concentrations **of pollutants**. Those thresholds should trigger the dissemination of information to the public on the **associated health** risks of exposure and the implementation of short-term measures to reduce pollution levels where the alert threshold is exceeded. **Alert and information thresholds are not set for the other regulated pollutants, as evidence on the health effects of those pollutants often considers long-term exposure effects only. In the event that scientific evidence emerges on their short-term exposure effects, the Commission should evaluate the need to introduce alert and information thresholds for those pollutants.**

**Amendment 25**

**Proposal for a directive  
Recital 25**

*Text proposed by the Commission*

(25) Air quality status should be maintained where it is already good, or improved. Where the standards for ambient air quality laid down in this Directive are at risk of not being met, or have not been met, Member States should take immediate action in order to comply with the limit values, average exposure reduction obligations and critical levels, and **where possible**, to attain the ozone target values and long-term objectives.

*Amendment*

(25) Air quality status should be maintained where it is already good, or improved. Where the standards for ambient air quality laid down in this Directive are at risk of not being met, or have not been met, Member States should take immediate **and continuous** action in order to comply with the limit values, average exposure reduction obligations and critical levels, and to attain the ozone target values and long-term objectives.

**Amendment 26**



**Proposal for a directive**  
**Recital 29**

*Text proposed by the Commission*

(29) Contributions from natural sources can be assessed but ***cannot be controlled***. Therefore, where natural contributions to pollutants in ambient air can be determined with sufficient certainty, and where exceedances are due in whole or in part to these natural contributions, these may, under the conditions laid down in this Directive, be subtracted when assessing compliance with air quality limit values and average exposure reduction obligations. Contributions to exceedances of particulate matter limit values attributable to winter-sanding or winter-salting of roads may also be subtracted when assessing compliance with air quality limit values provided that reasonable measures have been taken to lower concentrations.

*Amendment*

(29) Contributions from natural sources can be assessed but ***can in some instances be difficult to control***. Therefore, where natural contributions to pollutants in ambient air can be determined with sufficient certainty, and where exceedances are due in whole or in part to these natural contributions, ***which are beyond the Member States' control and could not have been anticipated, mitigated or prevented***, these may, under the conditions laid down in this Directive, be subtracted when assessing compliance with air quality limit values and average exposure reduction obligations. Contributions to exceedances of particulate matter limit values attributable to winter-sanding or winter-salting of roads may also be subtracted when assessing compliance with air quality limit values ***only when evidence is*** provided that ***all*** reasonable measures have been taken to lower concentrations. ***Subtractions of those contributions when assessing compliance with air quality limit values and average exposure reduction obligations should not prevent Member States from taking action to reduce their health impact.***

**Amendment 27**

**Proposal for a directive**  
**Recital 29 a (new)**

*Text proposed by the Commission*

*Amendment*

***(29a) It is crucial to systematically monitor air quality in the vicinity of air pollution hotspots where pollution level is strongly influenced by the emissions from heavy pollution sources that could expose individuals and population groups to elevated risks of adverse health effects. To***

*that end, Member States should install sampling points in the air pollution hotspots, such as ports or airports, with the aim to improve the understanding of the impact of those sources on air pollution, and to take appropriate measures to minimise their impact on human health.*

## **Amendment 28**

### **Proposal for a directive Recital 30**

*Text proposed by the Commission*

(30) For zones where conditions are particularly difficult, it should be possible to postpone the deadline for compliance with the air quality limit values in cases where, notwithstanding the implementation of appropriate pollution abatement measures, acute compliance problems exist in specific zones **and agglomerations**. Any postponement for a given zone **or agglomeration** should be accompanied by a comprehensive plan to be assessed by the Commission to ensure compliance by the revised deadline.

*Amendment*

(30) For zones where conditions are particularly difficult, it should be possible to postpone the deadline for compliance with the air quality limit values in cases where, notwithstanding the implementation of appropriate pollution abatement measures, acute compliance problems exist in specific zones. Any postponement for a given zone should be accompanied by a comprehensive plan to be assessed by the Commission to ensure compliance by the revised deadline.

## **Amendment 29**

### **Proposal for a directive Recital 31**

*Text proposed by the Commission*

(31) Air quality plans should be developed and updated for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values, ozone target values or average exposure reduction obligations. Air pollutants are emitted from many different sources and activities. To ensure coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes

*Amendment*

(31) Air quality plans should be developed and updated for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values, ozone target values or average exposure reduction obligations. Air pollutants are emitted from many different sources and activities. To ensure coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared

prepared pursuant to Directive 2010/75/EU **2001/80/EC** of the European Parliament and of the Council<sup>48</sup>, Directive (EU) 2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council<sup>49</sup>.

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<sup>48</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

<sup>49</sup> Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12.)

pursuant to Directive 2010/75/EU of the European Parliament and of the Council<sup>48</sup>, Directive (EU) 2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council<sup>49</sup>.

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<sup>48</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

<sup>49</sup> Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12.)

## Amendment 30

### Proposal for a directive Recital 31 a (new)

*Text proposed by the Commission*

*Amendment*

***(31a) As clarified by the case-law of the Court of Justice<sup>1a</sup>, the provisions on air quality plans do not allow the deadline for complying with air quality standards to be extended. The fact that an air quality plan has been drawn up does not, in itself, mean that a Member State has nevertheless fulfilled its obligations to ensure that levels of air pollutants do not exceed the air quality standards established by this Directive.***

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***<sup>1a</sup> Judgment of the Court of Justice of 10 November 2020, European Commission v Italian Republic, C-644/18, ECLI:EU:C:2020:895, paragraph 154, and judgment of the Court of Justice of 19 November 2014, ClientEarth v The Secretary of State for the Environment, Food and Rural Affairs, C-404/13, ECLI:EU:C:2014:2382, paragraph 49.***

## Amendment 31

### Proposal for a directive

#### Recital 32

*Text proposed by the Commission*

(32) Air quality *plans should also be prepared ahead of 2030 where there is a risk that* Member States *will not attain the limit values or ozone target value by that date in order to ensure that levels of pollutants are reduced accordingly.*

*Amendment*

(32) *In order to align Union legislation with the latest scientific evidence and the most recent WHO Air Quality Guidelines, this Directive sets new air quality standards to be met by 2030. Member States and competent authorities should in anticipation of the 2030 deadline for new limit values laid down in Section 1, Table 1, of Annex I, develop a distinct type of an air quality plan, a so-called air quality roadmap, for zones within which concentrations of pollutants in ambient air exceed the relevant air quality limit values set for 2030. The air quality roadmap should set out short- and long-term policies and measures in order to comply with those limit values by 2030 at the latest. For the sake of legal clarity, and notwithstanding the specific terminology used, an air quality roadmap should be considered to be an air quality plan as defined in Article 4, point (36).*

## Amendment 32

### Proposal for a directive

#### Recital 34

*Text proposed by the Commission*

(34) Member States should cooperate with one another if, following significant pollution originating in another Member State, the level of a pollutant exceeds, or is likely to exceed, any limit value, ozone target value, average exposure reduction obligation or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, *may* require coordination between neighbouring

*Amendment*

(34) Member States should cooperate with one another if, following significant pollution originating in another Member State, , the level of a pollutant exceeds, or is likely to exceed, any limit value, ozone target value, average exposure reduction obligation or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, *should* require *rapid* coordination between

Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public. Where appropriate, Member States should pursue cooperation with third countries, with particular emphasis on the early involvement of candidate countries. The Commission should be timely informed of and invited to assist in any such cooperation.

neighbouring Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public ***as soon as possible***. Where appropriate, Member States should pursue cooperation with third countries, with particular emphasis on the early involvement of candidate countries. The Commission should be timely informed of and invited to assist in any such cooperation.

### **Amendment 33**

#### **Proposal for a directive Recital 35**

##### *Text proposed by the Commission*

(35) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air as well as air quality plans and short-term action plans should also be readily available to the public.

##### *Amendment*

(35) It is necessary for the Member States and the Commission to collect, exchange and disseminate air quality information in order to understand better the impacts of air pollution and develop appropriate policies. Up-to-date information on concentrations of all regulated pollutants in ambient air as well as air quality plans, ***air quality roadmaps*** and short-term action plans should also be readily available to the public ***in a coherent and easily understandable manner***.

### **Amendment 34**

#### **Proposal for a directive Recital 35 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

***(35a) The Digital Economy and Society Index (DESI) shows that over 40 % of adults in the Union lack basic digital skills<sup>1a</sup>. Member States should therefore ensure that information to be made public in accordance with this Directive is communicated, where relevant, also via non-digital communication channels.***

## Amendment 35

### Proposal for a directive Recital 40

#### *Text proposed by the Commission*

(40) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Where damage to human health has occurred as a result of a violation of Articles 19, 20, 21 of this Directive, Member States should ensure that the individuals affected by such violations are able to claim and obtain compensation for that damage from the relevant competent authority. ***The rules on compensation, access to justice and penalties set in this Directive have*** the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. ***They*** thus seeks to integrate into the policies of the Union a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development as laid down in Article 37 of the Charter, and puts into concrete terms the obligation to protect the right to life and to the integrity of the person laid down in Articles 2 ***and 3*** of the Charter. It also contributes to the right to an effective remedy before a tribunal as laid down in Article 47 of the Charter, in relation to the protection of human health.

#### *Amendment*

(40) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Where damage to human health ***and well-being*** has occurred as a result of a violation of Articles ***13***, 19, 20, 21 of this Directive, Member States should ensure that the individuals affected by such violations are able to claim and obtain compensation for that damage from the relevant competent authority. This Directive ***has*** the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. ***It*** thus seeks to integrate into the policies of the Union a high level of environmental protection and the improvement of the quality of the environment in accordance with the principle of sustainable development as laid down in Article 37 of the Charter, and puts into concrete terms the obligation to protect the right to life and to the integrity of the person, ***the respect for private life and the right to healthcare*** laid down in Articles 2, ***3, 7 and 35*** of the Charter. It also contributes to the right to an effective remedy before a tribunal as laid down in Article 47 of the Charter, in relation to the protection of human health. ***In addition, it recognises and protects the human right to a clean, healthy and sustainable environment as recognised by the United Nations General Assembly in resolution***

Amendment 36

Proposal for a directive  
Recital 40 a (new)

*Text proposed by the Commission*

*Amendment*

***(40a) Rebuttable presumptions are a common mechanism for alleviating a claimant's evidential difficulties, while preserving the rights of the defendant. Rebuttable presumptions are only applicable provided that certain conditions are fulfilled. In order to maintain a fair apportionment of risk, and to avoid a reversal of the burden of proof, a claimant should be required to demonstrate sufficiently relevant evidence, including scientific data, that give rise to a presumption that the violation has caused or contributed to the occurrence of damage. In light of the evidentiary challenges faced by injured persons, especially in complex cases, such a rebuttable presumption will achieve a fair balance between the rights of the individuals suffering from human health damage and the relevant authorities. It should also be possible to use relevant scientific data as evidence in accordance with national law. Where such relevant scientific data is not available, it should be possible to use other evidence to support the claim in accordance with national law. Considering that air quality standards are set on the basis of scientific knowledge on the harmful effects of air pollution on human health, where limit values are exceeded, air pollution becomes potentially harmful to the health and well-being of those exposed to it<sup>1a</sup>.***

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<sup>1a</sup> *European Court of Human Rights judgment in Fadeyeva v. Russia, 55723/00, (ECtHR, 9 June 2005), §87.*

## Amendment 37

### Proposal for a directive Article 1 – paragraph 1

*Text proposed by the Commission*

1. This Directive sets out a zero pollution objective for air quality, so that within the Union air quality is progressively improved to levels no longer considered harmful to human health **and** natural ecosystems, as defined by scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.

*Amendment*

1. This Directive sets out a zero pollution objective for air quality, so that within the Union air quality is progressively improved to levels no longer considered harmful to human health, natural ecosystems **and biodiversity**, as defined by **the best available and most up-to-date** scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.

## Amendment 295

### Proposal for a directive Article 1 – paragraph 2

*Text proposed by the Commission*

2. This Directive sets intermediate limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, **information thresholds, alert thresholds and long-term objectives** ('air quality standards') to be met by the year 2030, **and** regularly reviewed **thereafter** in accordance with Article 3.

*Amendment*

2. This Directive sets intermediate limit values, target values, average exposure reduction obligations, average exposure concentration objectives **and** critical levels to be met **as soon as possible and** by the year 2030 **at the latest, as well as limit values to be met by 2035, which are to be** regularly reviewed in accordance with Article 3. **It also sets long-term objectives, information thresholds and alert thresholds as part of air quality standards.**

## Amendment 39

### Proposal for a directive Article 1 – paragraph 3

*Text proposed by the Commission*

3. Furthermore, this Directive contributes to achieving: the Union's pollution-reduction, biodiversity and ecosystem objectives in accordance with

*Amendment*

3. Furthermore, this Directive contributes to achieving the Union's pollution-reduction, biodiversity and ecosystem objectives in accordance with



the 8th Environment Action Programme, as set out in Decision (EU) 2022/591 of the European Parliament and of the Council<sup>55</sup>.

the 8th Environment Action Programme, as set out in Decision (EU) 2022/591 of the European Parliament and of the Council<sup>55</sup>, ***as well as to enhanced synergies between the Union's air quality policy and other relevant Union policies, in particular climate, transport and energy policies.***

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<sup>55</sup> Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

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<sup>55</sup> Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 (OJ L 114, 12.4.2022, p. 22).

#### **Amendment 40**

##### **Proposal for a directive Article 2 – paragraph 1 – point 3**

*Text proposed by the Commission*

3. measures for monitoring ambient air quality long-term trends and impacts of Union and national measures on ambient air quality ;

*Amendment*

3. measures for monitoring ambient air quality long-term trends and impacts of Union and national measures, ***as well as measures established in cooperation with third countries,*** on ambient air quality;

#### **Amendment 41**

##### **Proposal for a directive Article 2 – paragraph 1 – point 4**

*Text proposed by the Commission*

4. measures ensuring that the information on ambient air quality is made available to the public;

*Amendment*

4. measures ensuring that the information on ambient air quality is ***harmonised across the Union and*** made available to the public;

#### **Amendment 42**

##### **Proposal for a directive Article 2 – paragraph 1 – point 6**

*Text proposed by the Commission*

6. measures promoting increased cooperation between Member States in reducing air pollution.

*Amendment*

6. measures promoting increased cooperation between Member States, ***regional and local authorities, within and between Member States, as well as with third countries that have a common border with the Union,*** in reducing air pollution.

**Amendment 43**

**Proposal for a directive  
Article 3 – paragraph 1**

*Text proposed by the Commission*

1. By 31 December 2028, and every 5 years thereafter, and more often if substantial new scientific findings point to the need for it, the Commission shall review the scientific evidence related to air pollutants and their effects on human health and the environment relevant to achieving the objective set in Article 1 and present a report with the main findings to the European Parliament and to the Council.

*Amendment*

1. By 31 December 2028, and every 5 years thereafter, and more often if substantial new scientific findings point to the need for it, the Commission shall review the scientific evidence related to air pollutants and their effects on human health and the environment relevant to achieving the objective set in Article 1 and present a report with the main findings to the European Parliament and to the Council. ***The review shall be carried out without undue delay following the publication of the latest WHO Air Quality Guidelines.***

**Amendment 44**

**Proposal for a directive  
Article 3 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

In order to achieve the objectives set in Article 1, the review shall assess whether this Directive needs to be revised with a view to ensuring alignment with the World Health Organization (WHO) Air Quality Guidelines and the latest scientific information.

*Amendment*

In order to achieve the objectives set in Article 1, the review shall assess whether this Directive needs to be revised with a view to ensuring ***full and continuous*** alignment with the ***most up-to-date*** World Health Organization (WHO) Air Quality Guidelines, ***the most recent review by the WHO Regional Office for Europe*** and the

latest scientific information.

#### Amendment 45

##### Proposal for a directive

##### Article 3 – paragraph 2 – subparagraph 3 – point a

*Text proposed by the Commission*

(a) latest scientific information from WHO and other relevant organisations,

*Amendment*

(a) latest scientific information from **relevant Union bodies**, WHO and other relevant **scientific** organisations,

#### Amendment 46

##### Proposal for a directive

##### Article 3 – paragraph 2 – subparagraph 3 – point b

*Text proposed by the Commission*

(b) technological developments impacting air quality and its assessment,

*Amendment*

(b) **behavioural changes, fiscal policies and** technological developments impacting air quality and its assessment,

#### Amendment 47

##### Proposal for a directive

##### Article 3 – paragraph 2 – subparagraph 3 – point c

*Text proposed by the Commission*

(c) air quality **situations** and associated impacts on human health and the environment in Member States,

*Amendment*

(c) air quality and associated impacts on human health and the environment in Member States,

#### Amendment 48

##### Proposal for a directive

##### Article 3 – paragraph 2 – subparagraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

(ca) **direct and indirect healthcare and environmental costs associated with air pollution as well as cost-benefit analysis,**

## **Amendment 49**

### **Proposal for a directive**

#### **Article 3 – paragraph 2 – subparagraph 3 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) progress made in implementing other relevant Union legislation, in particular in the field of climate, transport and energy,***

## **Amendment 50**

### **Proposal for a directive**

#### **Article 3 – paragraph 2 – subparagraph 3 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(db) introduction by individual Member States of more stringent air quality standards in accordance with Article 193 TFEU.***

## **Amendment 51**

### **Proposal for a directive**

#### **Article 3 – paragraph 2 – subparagraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall support and work closely with the WHO Regional Office for Europe to monitor and review the scientific evidence on health effects of air pollution.***

## **Amendment 52**

### **Proposal for a directive**

#### **Article 3 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. In the first regular review, by 31***

*December 2028, the Commission shall propose, if appropriate, limit values, target values or critical levels for the air pollutants measured by the monitoring supersites referred to in Article 10 but currently not included in Annex I. Those values or levels shall be in line with the latest scientific evidence as to what is necessary to protect human health and the environment. In the framework of the first regular review, the Commission shall publish an assessment on the possibility to convert the target value for ozone into a limit value, accompanied, if appropriate, by a legislative proposal.*

### **Amendment 53**

#### **Proposal for a directive Article 3 – paragraph 4**

*Text proposed by the Commission*

4. Where the Commission considers it appropriate, as a result of the review, it shall present a proposal to revise air quality standards or to cover other air pollutants.

*Amendment*

4. Where the Commission considers it appropriate, as a result of the review, it shall present a proposal to revise air quality standards or to cover other air pollutants. ***Such a proposal shall be developed in line with the non-regression principle.***

### **Amendment 54**

#### **Proposal for a directive Article 4 – paragraph 1 – point 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) ‘air quality standards’ means limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds and alert thresholds;***

### **Amendment 55**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 21**

*Text proposed by the Commission*

*(21) ‘objective estimation’ means an assessment method to obtain quantitative or qualitative information on the concentration or deposition level of a pollutant through expert judgement, which may include use of statistical tools, remote sensing, and in-situ sensors;*

*Amendment*

*deleted*

**Amendment 56**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 23**

*Text proposed by the Commission*

(23) ‘urban background locations’ means places in urban areas where levels are representative of the exposure of the general urban population;

*Amendment*

(23) ‘urban background locations’ means places in urban areas where levels are representative of the exposure of the general urban population, ***including urban sensitive population and vulnerable groups***;

**Amendment 57**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 24**

*Text proposed by the Commission*

(24) ‘rural background locations’ means places in rural areas with low population density where levels are representative of the exposure of the general rural population;

*Amendment*

(24) ‘rural background locations’ means places in rural areas with low population density where levels are representative of the exposure of the general rural population, ***including rural sensitive population and vulnerable groups***;

**Amendment 58**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 24 a (new)**

*Text proposed by the Commission*

*Amendment*

***(24a) ‘air pollution hotspot’ means a place where the pollution level is strongly influenced by the emissions from heavy pollution sources such as, but not limited to, nearby congested and heavily trafficked roads, motorways or other highways, a single industrial source or an industrial area with many sources, ports, airports, intensive residential heating, or a combination thereof;***

## **Amendment 59**

### **Proposal for a directive Article 4 – paragraph 1 – point 26**

*Text proposed by the Commission*

(26) ‘limit value’ means a level ***which is not to be exceeded and*** which is fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects on human health or the environment ;

*Amendment*

(26) ‘limit value’ means a level which is fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects on human health or the environment, ***and which is to be attained within a given period and not to be exceeded once attained*** ;

## **Amendment 60**

### **Proposal for a directive Article 4 – paragraph 1 – point 28**

*Text proposed by the Commission*

(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations throughout the territorial unit at NUTS ***1*** level as described in Regulation (EC) No 1059/2003, or, if there is no urban area located in that territorial unit, at rural background locations, and which reflects population exposure, used to check whether the average exposure reduction obligation and the average exposure concentration objective for that territorial

*Amendment*

(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations throughout the territorial unit at NUTS ***2*** level as described in Regulation (EC) No 1059/2003, or, if there is no urban area located in that territorial unit, at rural background locations, and which reflects population exposure, used to check whether the average exposure reduction obligation and the average exposure concentration objective for that territorial

unit have been met;

unit have been met;

## Amendment 61

### Proposal for a directive

#### Article 4 – paragraph 1 – point 29

##### *Text proposed by the Commission*

(29) ‘ average exposure reduction obligation ’ means a percentage reduction of the average exposure of the population , expressed as average exposure indicator, of a territorial unit at NUTS **1** level as described in Regulation (EC) No 1059/2003 of the European Parliament and of the Council<sup>57</sup> set for the reference year with the aim of reducing harmful effects on human health, to be attained over a given period;

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<sup>57</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

##### *Amendment*

(29) ‘average exposure reduction obligation’ means a percentage reduction of the average exposure of the population , expressed as average exposure indicator, of a territorial unit at NUTS **2** level as described in Regulation (EC) No 1059/2003 of the European Parliament and of the Council<sup>57</sup> set for the reference year with the aim of reducing harmful effects on human health, to be attained over a given period ***and not to be exceeded once attained;***

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<sup>57</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

## Amendment 62

### Proposal for a directive

#### Article 4 – paragraph 1 – point 30

##### *Text proposed by the Commission*

(30) ‘ average exposure concentration objective ’ means a level of the average exposure indicator ***to be attained***, with the aim of reducing harmful effects on human health ;

##### *Amendment*

(30) ‘average exposure concentration objective ’ means a level of the average exposure indicator ***set*** with the aim of reducing harmful effects on human health, ***to be attained within a given period and not to be exceeded once attained;***

## Amendment 63



**Proposal for a directive**  
**Article 4 – paragraph 1 – point 35**

*Text proposed by the Commission*

(35) ‘contributions from natural sources’ means emissions of pollutants not caused directly or indirectly by human activities, including natural events such as volcanic eruptions, seismic activities, geothermal activities, wild-land fires, high-wind events, sea sprays or the atmospheric re-suspension or transport of natural particles from dry regions;

*Amendment*

(35) ‘contributions from natural sources’ means emissions of pollutants not caused directly or indirectly by human activities, including natural events such as volcanic eruptions, seismic activities, geothermal activities, wild-land fires, high-wind events, sea sprays or the atmospheric re-suspension or transport of natural particles from dry regions, ***which the Member State concerned could not have prevented or mitigated by policy actions;***

**Amendment 296**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 35 a (new)**

*Text proposed by the Commission*

*Amendment*

***(35a) ‘air quality roadmap’ means an air quality plan, adopted ahead of the attainment deadline of new limit values laid down in Section 1, Table 1, of Annex I and intermediate limit values laid down in Section 1, Table 1A, of Annex I, that sets out short- and long-term policies and measures in order to comply with those limit values;***

**Amendment 65**

**Proposal for a directive**  
**Article 4 – paragraph 1 – point 36**

*Text proposed by the Commission*

(36) ‘air quality plans’ means plans that set out measures in order to comply with limit values, ozone target values or average exposure reduction obligations ;

*Amendment*

(36) ‘air quality plans’ means plans that set out measures in order to comply with limit values, ozone target values or average exposure reduction obligations ***once these have been exceeded;***

## Amendment 66

### Proposal for a directive Article 4 – paragraph 1 – point 38

*Text proposed by the Commission*

(38) ‘the public concerned’ means the public affected or likely to be affected by exceedances of air quality standards, or having an interest in, the decision-making procedures related to the implementation of the obligations under this Directive, including non-governmental organisations promoting the protection of human health or the environment **and meeting any requirements under national law**;

*Amendment*

(38) ‘the public concerned’ means the public affected or likely to be affected by exceedances of air quality standards, or having an interest in, the decision-making procedures related to the implementation of the obligations under this Directive, including non-governmental organisations promoting the protection of human health or the environment;

## Amendment 67

### Proposal for a directive Article 4 – paragraph 1 – point 39

*Text proposed by the Commission*

(39) ‘sensitive population and vulnerable groups’ means those population groups that are more vulnerable to air pollution **exposure** than the average population, because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves.

*Amendment*

(39) ‘sensitive population and vulnerable groups’ means those population groups that are **permanently or temporarily more sensitive or** more vulnerable to **the effects of** air pollution than the average population, **because of specific characteristics that make the health consequences of exposure more significant or** because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves.

## Amendment 68

### Proposal for a directive Article 5 – paragraph 1 – point b

*Text proposed by the Commission*

(b) approval of measurement systems (methods, equipment, networks and laboratories);

*Amendment*

(b) approval of measurement systems (**locations**, methods, equipment, networks and laboratories) **and ensuring an**

*adequate functioning and maintenance of the monitoring network;*

## **Amendment 69**

### **Proposal for a directive Article 5 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) ensuring the accuracy of measurements;

*Amendment*

(c) ensuring the accuracy of measurements *and the transfer and sharing of measurement data, including their compliance with the data quality objectives laid down in Annex V;*

## **Amendment 70**

### **Proposal for a directive Article 5 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) ensuring the accuracy of modelling applications;

*Amendment*

(d) ensuring the accuracy of *air quality* modelling applications;

## **Amendment 71**

### **Proposal for a directive Article 5 – paragraph 1 – point g**

*Text proposed by the Commission*

(g) cooperation with the other Member States and the Commission;

*Amendment*

(g) cooperation with the other Member States, *third countries* and the Commission;

## **Amendment 72**

### **Proposal for a directive Article 5 – paragraph 1 – point h**

*Text proposed by the Commission*

(h) establishment of air quality plans;

*Amendment*

(h) establishment of air quality plans *and*

*air quality roadmaps;*

### Amendment 73

#### Proposal for a directive

#### Article 5 – paragraph 1 – point i a (new)

*Text proposed by the Commission*

*Amendment*

*(ia) provision and maintenance of an hourly updated air quality index and other relevant public information.*

### Amendment 74

#### Proposal for a directive

#### Article 8 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. In all zones where the level of pollutants is below the assessment threshold established for those pollutants, modelling applications, indicative measurements, *objective-estimation techniques, or a combination thereof* shall be sufficient for the assessment of the ambient air quality.

4. In all zones where the level of pollutants is below the assessment threshold established for those pollutants, *a combination of* modelling applications *and* indicative measurements shall be sufficient for the assessment of the ambient air quality.

### Amendment 75

#### Proposal for a directive

#### Article 8 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. If modelling *shows* an exceedance of any limit value or ozone target value in an area of the zone not covered by fixed measurements, additional fixed *or indicative* measurements shall be used during at least 1 calendar year *after the exceedance was recorded*, to assess the concentration level of the relevant pollutant.

5. If modelling *or indicative measurements show* an exceedance of any limit value or ozone target value in an area of the zone not covered by fixed measurements, additional fixed measurements *shall be installed within 6 months after the exceedance was recorded and* shall be used during at least 1 calendar year to assess the concentration level of the relevant pollutant.

## Amendment 76

### Proposal for a directive Article 8 – paragraph 7

*Text proposed by the Commission*

7. In addition to monitoring required under Article 10, Member States shall, **where applicable**, monitor ultrafine particles levels in accordance with Point D of Annex III and **Section 3** of Annex VII.

*Amendment*

7. In addition to monitoring required under Article 10, Member States shall monitor ultrafine particles levels, **black carbon, ammonia and mercury** in accordance with Point D of Annex III and **Sections 3, 3a, 3b and 3c** of Annex VII.

## Amendment 77

### Proposal for a directive Article 9 – paragraph 1 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***The location of sampling points shall be representative of the exposure of at risk communities and of the exposure of one or more sensitive population and vulnerable groups.***

## Amendment 78

### Proposal for a directive Article 9 – paragraph 2

*Text proposed by the Commission*

2. In each zone where the level of pollutants exceeds the assessment threshold specified in Annex II, the number of sampling points for each pollutant shall not be less than the minimum number of sampling points specified in **Tables 3 and 4** of Points A and **Point C**, of Annex III .

*Amendment*

2. In each zone where the level of pollutants exceeds the assessment threshold specified in Annex II, the number of sampling points for each pollutant shall not be less than the minimum number of sampling points specified in Points A and C of Annex III .

## Amendment 79

**Proposal for a directive**  
**Article 9 – paragraph 3 – point c**

*Text proposed by the Commission*

(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative measurements have a minimum duration of 2 months per calendar year;

*Amendment*

(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative measurements have a minimum duration of 2 months per calendar year ***equally distributed over the calendar year***;

**Amendment 80**

**Proposal for a directive**  
**Article 9 – paragraph 5**

*Text proposed by the Commission*

5. Each Member State shall, in accordance with Annex IV, ensure that the distribution used for the calculation of the average exposure indicators for PM<sub>2.5</sub> and NO<sub>2</sub>, reflect the general population exposure adequately. The number of sampling points shall be no less than that determined by application of Point B, of Annex III.

*Amendment*

5. Each Member State shall, in accordance with Annex IV, ensure that the distribution used for the calculation of the average exposure indicators for PM<sub>2.5</sub> and ***nitrogen dioxide (NO<sub>2</sub>)***, reflect the general population exposure adequately. The number of sampling points shall be no less than that determined by application of Point B, of Annex III.

**Amendment 81**

**Proposal for a directive**  
**Article 9 – paragraph 7**

*Text proposed by the Commission*

7. Sampling points at which exceedances of any limit value specified in Section 1 of Annex I were recorded within the previous 3 years shall not be relocated, unless a relocation is necessary ***due to special circumstances, including spatial development***. Relocation of sampling points shall be done within their area of spatial representativeness and be based on modelling results.

*Amendment*

7. Sampling points at which exceedances of any limit value specified in Section 1 of Annex I were recorded within the previous 3 years shall not be relocated, unless a relocation is ***absolutely*** necessary. Relocation of sampling points shall be done within their area of spatial representativeness, ***ensure continuity of measurement*** and be based on modelling results.

## Amendment 82

### Proposal for a directive Article 10 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

Each Member State shall establish at least one monitoring supersite per **10** million inhabitants at an urban background location. Member States that have fewer than **10** million inhabitants shall establish at least one monitoring supersite at an urban background location.

*Amendment*

Each Member State shall establish at least one monitoring supersite per **2** million inhabitants at an urban background location. Member States that have fewer than **2** million inhabitants shall establish at least one monitoring supersite at an urban background location.

## Amendment 83

### Proposal for a directive Article 10 – paragraph 5

*Text proposed by the Commission*

5. Measurements at all monitoring supersites at urban background locations shall include fixed *or indicative* measurements of size distribution of ultrafine particles and particulate matter oxidative potential.

*Amendment*

5. Measurements at all monitoring supersites at urban background locations shall include fixed measurements of size distribution of ultrafine particles and particulate matter oxidative potential.

## Amendment 84

### Proposal for a directive Article 10 – paragraph 6 – point a

*Text proposed by the Commission*

(a) fixed measurements of particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), black carbon (BC), ammonia (NH<sub>3</sub>) and ultrafine particles (UFP).

*Amendment*

(a) fixed measurements of particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), nitrogen dioxide (NO<sub>2</sub>), *sulphur dioxide (SO<sub>2</sub>)*, *carbon monoxide (CO)*, ozone (O<sub>3</sub>), black carbon (BC), ammonia (NH<sub>3</sub>) and ultrafine particles (UFP).

## Amendment 85

### Proposal for a directive Article 10 – paragraph 6 – point b

*Text proposed by the Commission*

(b) fixed **or indicative** measurements of fine particulate matter (PM<sub>2.5</sub>) for the purposes of providing, as a minimum, information on their total mass concentration and their chemical speciation concentrations on an annual average basis in accordance with Section 1 of Annex VII;

*Amendment*

(b) fixed measurements of fine particulate matter (PM<sub>2.5</sub>) for the purposes of providing, as a minimum, information on their total mass concentration and their chemical speciation concentrations on an annual average basis in accordance with Section 1 of Annex VII;

**Amendment 86**

**Proposal for a directive  
Article 10 – paragraph 6 – point c**

*Text proposed by the Commission*

(c) fixed **or indicative** measurements of arsenic, cadmium, nickel, total gaseous mercury, benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), and of the total deposition of arsenic, cadmium, mercury, nickel, benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), irrespective of concentration levels.

*Amendment*

(c) fixed measurements of arsenic, cadmium, nickel, total gaseous mercury, benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), and of the total deposition of arsenic, cadmium, mercury, nickel, **lead, benzene**, benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), irrespective of concentration levels.

**Amendment 87**

**Proposal for a directive  
Article 10 – paragraph 7**

*Text proposed by the Commission*

7. Measurements of particulate and gaseous divalent mercury **may** also be undertaken at monitoring supersites at urban background locations and rural background locations.

*Amendment*

7. Measurements of particulate and gaseous divalent mercury **shall** also be undertaken at monitoring supersites at urban background locations and rural background locations.

**Amendment 88**

**Proposal for a directive  
Article 12 – title**



*Text proposed by the Commission*

Requirements where levels are lower than the limit values, ozone target value and average exposure concentration objectives, ***but above the assessment thresholds***

*Amendment*

Requirements where levels are lower than the limit values, ozone target value and average exposure concentration objectives

**Amendment 89**

**Proposal for a directive  
Article 12 – paragraph 2**

*Text proposed by the Commission*

2. In zones in which ozone levels are below the ozone target value Member States shall take necessary measures to maintain those levels below the ozone target value and ***endeavour to*** attain the long-term objectives specified in Section 2 of Annex I, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions so permit, ***and provided that any necessary measures do not entail a disproportionate cost.***

*Amendment*

2. In zones in which ozone levels are below the ozone target value Member States shall take necessary measures to maintain those levels below the ozone target value and attain the long-term objectives specified in Section 2 of Annex I, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions so permit. ***Once the long-term objectives are attained, Member States shall maintain the ozone levels below the long-term objectives.***

**Amendment 90**

**Proposal for a directive  
Article 12 – paragraph 3**

*Text proposed by the Commission*

3. In territorial units at NUTS ***1*** level as described in Regulation (EC) No 1059/2003 where the average exposure indicators for PM<sub>2.5</sub> and NO<sub>2</sub> are below the respective value of the average exposure concentration objectives for those pollutants as laid down in Section 5 of Annex I, Member States shall maintain the levels of those pollutants below the average exposure concentration objectives

*Amendment*

3. In territorial units at NUTS ***2*** level as described in Regulation (EC) No 1059/2003 where the average exposure indicators for PM<sub>2.5</sub> and NO<sub>2</sub> are below the respective value of the average exposure concentration objectives for those pollutants as laid down in Section 5 of Annex I, Member States shall maintain the levels of those pollutants below the average exposure concentration objectives

## Amendment 91

### Proposal for a directive Article 12 – paragraph 4

*Text proposed by the Commission*

4. Member States shall endeavour to achieve and preserve the best ambient air quality and a high level of environmental and human health protection, in line with the air quality guidelines published by the WHO and below the assessment thresholds laid down in Annex II .

*Amendment*

4. Member States shall endeavour to achieve and preserve the best ambient air quality and a high level of environmental and human health protection , in line with the ***most recent WHO*** Air Quality Guidelines ***and reviews*** published by the WHO ***Regional Office for Europe*** and below the assessment thresholds laid down in Annex II, ***paying particular attention to the protection of sensitive population and vulnerable groups.***

## Amendment 92

### Proposal for a directive Article 13 – paragraph 3

*Text proposed by the Commission*

3. Member States shall ensure that the average exposure reduction obligations for PM<sub>2.5</sub> and NO<sub>2</sub> laid down in Section 5, Point B, of Annex I, are met throughout their territorial units at NUTS *I* level, where they exceed the average exposure concentration objectives set out in Section 5, Point C, of Annex I.

*Amendment*

3. Member States shall ensure that the average exposure reduction obligations for PM<sub>2.5</sub> and NO<sub>2</sub> laid down in Section 5, Point B, of Annex I, are met throughout their territorial units at NUTS *2* level, where they exceed the average exposure concentration objectives set out in Section 5, Point C, of Annex I.

## Amendment 297

### Proposal for a directive Article 13 – paragraph 6

*Text proposed by the Commission*

6. The deadline for attaining the limit values laid down in Table 1 of Section 1 of Annex I may be postponed in accordance with Article 18.

*Amendment*

6. The deadline for attaining the limit values laid down in Table 1 of Section 1 of Annex I ***and the intermediate limit values laid down in Table 1A of Section 1 of Annex I for the pollutants referred to in Article 18(1)*** may be postponed in

accordance with Article 18.

#### Amendment 94

##### Proposal for a directive Article 15 – paragraph 1

*Text proposed by the Commission*

1. The alert thresholds for concentrations of sulphur dioxide, nitrogen dioxide, **and** particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) in ambient air shall be those laid down in Section 4, Point A of Annex I.

*Amendment*

1. The alert thresholds for concentrations of sulphur dioxide, nitrogen dioxide, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) **and ozone** in ambient air shall be those laid down in Section 4, Point A of Annex I.

#### Amendment 95

##### Proposal for a directive Article 15 – paragraph 2

*Text proposed by the Commission*

2. The **alert threshold and** information **threshold for** ozone shall be that laid down in Section 4, Point B, of Annex I.

*Amendment*

2. The information **thresholds for concentrations of sulphur dioxide, nitrogen dioxide, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and** ozone shall be that laid down in Section 4, Point B, of Annex I.

#### Amendment 96

##### Proposal for a directive Article 15 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. Where any alert threshold laid down in Section 4, Point A, of Annex I is exceeded, Member States shall implement without undue delay the emergency measures indicated in the short-term action plans drawn up under Article 20.**

#### Amendment 97

**Proposal for a directive**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

3. Where any alert ***threshold or any information*** threshold laid down in Section 4 of Annex I is exceeded, Member States shall take the necessary steps to inform the public within a few hours at the latest, ***making*** use of different media and communication channels and ***ensuring*** broad public access .

*Amendment*

3. Where any alert threshold laid down in Section 4 of Annex I is exceeded, Member States shall take the necessary steps to inform the public within a few hours at the latest, ***in a coherent and easily understandable manner, providing detailed information about the severity of the exceedance and the associated health impacts, as well as suggestions for the protection of the population, with a special focus on sensitive population and vulnerable groups. Member States shall make*** use of different media and communication channels and ***ensure*** broad public access.

**Amendment 98**

**Proposal for a directive**  
**Article 15 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Where any information threshold laid down in Section 4 of Annex I is exceeded, Member States shall take the necessary steps to inform the public, and sensitive population and vulnerable groups in particular, within a few hours at the latest, in an accessible, coherent and easily understandable manner.***

**Amendment 99**

**Proposal for a directive**  
**Article 15 – paragraph 4**

*Text proposed by the Commission*

4. Member States shall ensure that information about actual or predicted exceedances of any alert threshold or information threshold is provided to the

*Amendment*

4. Member States shall ensure that information about actual or predicted exceedances of any alert threshold or information threshold is provided to the

public as soon as possible in accordance with, points 2 and 3 of Annex IX.

public *in a coherent and easily understandable manner* as soon as possible in accordance with, points 2 and 3 of Annex IX.

## Amendment 100

### Proposal for a directive Article 16 – paragraph 1 – point b

*Text proposed by the Commission*

(b) NUTS *1* territorial units where exceedances of the level determined by the average exposure reduction obligations are attributable to natural sources.

*Amendment*

(b) NUTS *2* territorial units where exceedances of the level determined by the average exposure reduction obligations are attributable to natural sources.

## Amendment 101

### Proposal for a directive Article 16 – paragraph 2

*Text proposed by the Commission*

2. Member States shall provide the Commission with lists of any such zones and NUTS *1* territorial units, as referred to in paragraph 1, together with information on concentrations and sources *and* the evidence demonstrating that the exceedances are attributable to natural sources.

*Amendment*

2. Member States shall provide the Commission with lists of any such zones and NUTS *2* territorial units, as referred to in paragraph 1, together with:

(a) information on concentrations and sources;

(b) the evidence demonstrating that the exceedances are attributable to natural sources *and could not have been anticipated, prevented or mitigated by the Member State concerned, including, where appropriate, the evidence demonstrating the impact of ecosystem perturbations driven by climate change resulting in such exceedances;*

(c) *information on the implementation of relevant measures under the national strategy for adaptation to climate change adopted pursuant to Article 5(4) of*

## **Amendment 102**

### **Proposal for a directive Article 16 – paragraph 3**

*Text proposed by the Commission*

3. Where the Commission has been informed of an exceedance attributable to natural sources in accordance with paragraph 2, that exceedance **shall** not be considered as an exceedance for the purposes of this Directive.

*Amendment*

3. Where the Commission has been informed of an exceedance attributable to natural sources in accordance with paragraph 2, **it shall review the evidence and inform the Member State whether** that exceedance **may** not be considered as an exceedance for the purposes of this Directive.

## **Amendment 103**

### **Proposal for a directive Article 17 – paragraph 1**

*Text proposed by the Commission*

1. Member States may, for a given **year**, identify zones within which limit values for PM<sub>10</sub> are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or winter -salting of roads.

*Amendment*

1. Member States may, for a given **month**, identify zones within which limit values for PM<sub>10</sub> are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or winter -salting of roads.

## **Amendment 298**

### **Proposal for a directive Article 18 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Where, in a given zone, conformity with the limit values for particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) or nitrogen dioxide cannot be achieved by the **deadline** specified in **Table 1** of Section 1 of Annex I, because of site-specific dispersion characteristics, orographic boundary **conditions**, **adverse climatic** conditions or

*Amendment*

1. Where, in a given zone, conformity with the limit values for particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) or nitrogen dioxide cannot be achieved by the **deadlines** specified in **Tables 1 and 1A** of Section 1 of Annex I, because of **exceptional and unpreventable** site-specific dispersion characteristics, orographic boundary

transboundary contributions, a Member State may postpone - that deadline once by a maximum of 5 years for that particular zone , if the following conditions are met:

conditions or transboundary contributions, a Member State may postpone - that deadline once by a maximum of 5 years for that particular zone , if the following conditions are met:

## Amendment 105

### Proposal for a directive

#### Article 18 – paragraph 1 – point -a (new)

*Text proposed by the Commission*

*Amendment*

***(-a) the levels of pollutants in ambient air in the relevant zone are below the limit values specified in Section 1, Table 2, of Annex I;***

## Amendment 106

### Proposal for a directive

#### Article 18 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) an air quality ***plan*** is established in accordance with Article ***19(4)*** and meeting the requirements listed in Article 19(5) to (7) for the zone to which the postponement would apply;

(a) an air quality ***roadmap*** is established in accordance with Article ***19(-1)*** and meeting the requirements listed in Article 19(5) to (7) for the zone to which the postponement would apply;

## Amendment 107

### Proposal for a directive

#### Article 18 – paragraph 1 – point b

*Text proposed by the Commission*

*Amendment*

(b) the air quality ***plan*** referred in point (a) is supplemented by the information listed in Point B of Annex VIII related to the pollutants concerned and demonstrates how exceedance periods above the limit values will be kept as short as possible ;

(b) the air quality ***roadmap*** referred in point (a) is supplemented by the information listed in Point B of Annex VIII related to the pollutants concerned ***as well as annual projections on the evolution of emissions and concentrations in the zone concerned until the attainment date*** and demonstrates ***how the limit values will be attained by the end of the postponed***

*deadline for compliance and* how exceedance periods above the limit values will be kept as short as possible;

## Amendment 108

### Proposal for a directive

#### Article 18 – paragraph 1 – point c

*Text proposed by the Commission*

(c) the air quality *plan* referred to in point (a) outlines how the public and, in particular, sensitive population and vulnerable groups will be informed about the consequences of the postponement for human health and the environment;

*Amendment*

(c) the air quality *roadmap* referred to in point (a) outlines how the public and, in particular, sensitive population and vulnerable groups will be informed *in a coherent and easily understandable manner* about the consequences of the postponement for human health and the environment;

## Amendment 109

### Proposal for a directive

#### Article 18 – paragraph 1 – point d

*Text proposed by the Commission*

(d) the air quality *plan* referred to in point (a) outlines how additional funding, including via relevant national and Union funding programmes, will be mobilised to accelerate the improvement of air quality in the zone to which the postponement would apply;

*Amendment*

(d) the air quality *roadmap* referred to in point (a) outlines how additional funding, including via relevant national and Union funding programmes, *where such funding is foreseen*, will be mobilised to accelerate the improvement of air quality in the zone to which the postponement would apply;

## Amendment 110

### Proposal for a directive

#### Article 18 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

Member States shall notify the Commission where, in their view, paragraph 1 is applicable, and shall communicate the air quality *plan* referred to in paragraph 1 and all relevant

*Amendment*

Member States shall notify the Commission where, in their view, paragraph 1 is applicable, and shall communicate the air quality *roadmap* referred to in paragraph 1 and all relevant



information necessary for the Commission to assess whether the invoked reason for postponement and the conditions set out in that paragraph are satisfied. In its assessment, the Commission shall take into account estimated effects on ambient air quality in Member States, at present and in the future, of measures that have been taken by Member States as well as estimated effects on ambient air quality of Union measures .

information necessary for the Commission to assess whether the invoked reason for postponement and the conditions set out in that paragraph are satisfied. In its assessment, the Commission shall take into account estimated effects on ambient air quality in Member States, at present and in the future, of measures that have been taken by Member States as well as estimated effects on ambient air quality of Union measures . ***Where annual projections provided in accordance with paragraph 1, point (b), demonstrate that the measures set out in the air quality roadmap are insufficient to achieve likely compliance with the limit value of the pollutant concerned by the postponed attainment deadline, Member States shall update the air quality roadmap and revise the measures therein in order to ensure compliance by that deadline.***

## **Amendment 111**

### **Proposal for a directive Article 19 – title**

*Text proposed by the Commission*

Air quality plans

*Amendment*

Air quality plans ***and air quality roadmaps***

## **Amendment 299**

### **Proposal for a directive Article 19 – paragraph -1 (new)**

*Text proposed by the Commission*

*Amendment*

***-1. Where from ... [three months after the date of entry into force of this Directive], in a zone or NUTS 2 territorial unit, the levels of any pollutant recorded for the preceding calendar year are above any limit value to be attained by 1 January 2035 as laid down in Section 1, Table 1, of Annex I or any target value to be attained by 1 January 2030 as laid down in Section 2, Point B, of Annex I,***

*the Member State concerned shall establish an air quality roadmap for that pollutant as soon as possible and no later than 2 years after the calendar year during which the exceedance of the pollutant was recorded in order to attain the respective limit values, intermediate limit values or ozone target value by the expiration of the attainment deadlines.*

*Where, for the same pollutant as referred to in the first subparagraph of this paragraph, a Member State is required to establish an air quality roadmap in accordance with that subparagraph as well as an air quality plan in accordance with paragraph 1 of this Article, it may establish a combined air quality roadmap in accordance with paragraphs 5, 6 and 7 of this Article and provide information on the expected impact of measures to reach compliance for each limit value it addresses, as required by Point A, points 5 and 6, of Annex VIII. Any such combined air quality roadmap shall set out appropriate measures to achieve all related limit values and to keep all exceedance periods as short as possible.*

## Amendment 113

### Proposal for a directive Article 19 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

Where, in given zones the levels of pollutants in ambient air exceed any limit value, laid down in Section 1 of Annex I, Member States shall establish air quality plans for those zones as soon as possible and no later than 2 years after the calendar year during which that exceedance of any limit value was recorded. Those air quality plans shall set out appropriate measures to achieve the concerned limit value and to keep the exceedance period as short as possible, and in any case no longer than 3 years from the end of the calendar year in

*Amendment*

Where, in given zones the levels of pollutants in ambient air exceed any limit value, laid down in Section 1 of Annex I, Member States shall establish air quality plans for those zones as soon as possible and no later than 2 years after the calendar year during which that exceedance of any limit value was recorded. Those air quality plans shall set out **all** appropriate **and sufficient** measures to achieve the concerned limit value and to keep the exceedance period as short as possible, and in any case no longer than 3 years from the end of the calendar year in which the first

which the first exceedance was *reported* .

exceedance was *recorded*.

#### Amendment 114

##### Proposal for a directive

##### Article 19 – paragraph 1 – subparagraph 2

###### *Text proposed by the Commission*

Where exceedances of any limit values persist during the third calendar year after the *establishment* of the *air quality plan*, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

###### *Amendment*

Where exceedances of any limit values persist during the third calendar year after the *end* of the *calendar year in which the first exceedance was recorded*, Member States shall update the air quality plan and the measures therein, *including updated detailed information concerning the status of implementation of the Directives referred to in Point B, point 1, of Annex VIII* and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible *and in any case no longer than 1 calendar year after the update of the air quality plan*.

#### Amendment 115

##### Proposal for a directive

##### Article 19 – paragraph 2 – subparagraph 1

###### *Text proposed by the Commission*

Where in a given NUTS *1* territorial unit, the levels of pollutants in ambient air exceed the ozone target value, laid down in Section 2 of Annex I, Member States shall establish air quality plans for those NUTS *1* territorial units as soon as possible and no later than 2 years after the calendar year during which the exceedance of the ozone target value was recorded. Those air quality plans shall set out appropriate measures in order to achieve the ozone target value and to keep the exceedance period as short as possible.

###### *Amendment*

Where in a given NUTS *2* territorial unit, the levels of pollutants in ambient air exceed the ozone target value, laid down in Section 2 of Annex I, Member States shall establish air quality plans for those NUTS *2* territorial units as soon as possible and no later than 2 years after the calendar year during which the exceedance of the ozone target value was recorded. Those air quality plans shall set out appropriate *and sufficient* measures in order to achieve the ozone target value and to keep the exceedance period as short as possible, *and in any case no longer than 3 years from the end of the calendar year in which the*

*first exceedance was recorded.*

## Amendment 116

### Proposal for a directive

#### Article 19 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

Where exceedances of the ozone target value persist during the ***fifth*** calendar year after the ***establishment*** of the ***air quality plan*** in the relevant NUTS ***1*** territorial unit, Member States shall update air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

*Amendment*

Where exceedances of the ozone target value persist during the ***third*** calendar year after the ***end*** of the ***calendar year in which the first exceedance was recorded*** in the relevant NUTS ***2*** territorial unit, Member States shall update ***the*** air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible, ***and in any case no longer than 2 calendar years after the update of the air quality plan.***

## Amendment 117

### Proposal for a directive

#### Article 19 – paragraph 2 – subparagraph 3

*Text proposed by the Commission*

For NUTS ***1*** territorial units where the ozone target value is exceeded, Member States shall ensure that the relevant national air pollution control programme prepared pursuant to Article 6 of Directive (EU) 2016/2284 includes measures addressing those exceedances.

*Amendment*

For NUTS ***2*** territorial units where the ozone target value is exceeded, Member States shall ensure that the relevant national air pollution control programme prepared pursuant to Article 6 of Directive (EU) 2016/2284 includes measures addressing those exceedances.

## Amendment 118

### Proposal for a directive

#### Article 19 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

Where in a given NUTS ***1*** territorial unit, the average exposure reduction obligation

*Amendment*

Where in a given NUTS ***2*** territorial unit, the average exposure reduction obligation

laid down in Section 5 of Annex I is exceeded, Member States shall establish air quality plans for those NUTS *1* territorial units as soon as possible and no later than 2 years after the calendar year during which the exceedance of the average exposure reduction obligation was recorded. Those air quality plans shall set out appropriate measures to achieve the average exposure reduction obligation and to keep the exceedance period as short as possible.

laid down in Section 5 of Annex I is exceeded, Member States shall establish air quality plans for those NUTS *2* territorial units as soon as possible and no later than 2 years after the calendar year during which the exceedance of the average exposure reduction obligation was recorded. Those air quality plans shall set out appropriate ***and sufficient*** measures to achieve the average exposure reduction obligation and to keep the exceedance period as short as possible ***and in any case no longer than 3 years from the end of the calendar year in which the first exceedance was recorded.***

## Amendment 119

### Proposal for a directive

#### Article 19 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

Where exceedances of the average exposure reduction obligation persist during the ***fifth*** calendar year after the ***establishment*** of the ***air quality plan***, Member States shall update the air quality plan and the measures therein, and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.

*Amendment*

Where exceedances of the average exposure reduction obligation persist during the ***third*** calendar year after the ***end*** of the ***calendar year in which the first exceedance was recorded***, Member States shall update the air quality plan and the measures therein, ***including updated detailed information concerning the status of implementation of the Directives referred to in Point B, point 1, of Annex VIII*** and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible, ***and in any case no longer than 1 calendar year after the update of the air quality plan.***

## Amendment 120

### Proposal for a directive

#### Article 19 – paragraph 4

*Text proposed by the Commission*

***4. Where from [insert year 2 years after entry into force of this Directive],***

*Amendment*

***deleted***

*until 31 December 2029 in a zone or NUTS 1 territorial unit, the levels of pollutants are above any limit value to be attained by 1 January 2030 as laid down in Table 1 of Section 1 of Annex I, Member States shall establish an air quality plan for the concerned pollutant as soon as possible and no later than 2 years after the calendar year during which the exceedance of the was recorded to attain the respective limit values or ozone target value by the expiration of the attainment deadline.*

*Where, for the same pollutant, Member States are required to establish an air quality plan in accordance with this paragraph as well as an air quality plan in accordance with Article 19(1), they may establish a combined air quality plan in accordance with Article 19(5), (6) and (7) and provide information on the expected impact of measures to reach compliance for each limit value it addresses, as required by in Annex VIII, points 5 and 6. Any such combined air quality plan shall set out appropriate measures to achieve all related limit values and to keep all exceedance periods as short as possible.*

#### **Amendment 121**

##### **Proposal for a directive**

##### **Article 19 – paragraph 5 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

Air quality plans shall contain at least the following information:

*Amendment*

Air quality plans *and air quality roadmaps* shall contain at least the following information:

#### **Amendment 122**

##### **Proposal for a directive**

##### **Article 19 – paragraph 5 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) the information referred to in Point B, point 1, of Annex VIII, and in particular measures included in the National Air Pollution Control Programme (NAPCP);***

### **Amendment 123**

#### **Proposal for a directive**

#### **Article 19 – paragraph 5 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) ***where appropriate***, information on abatement measures listed in Point B, Point 2 of Annex VIII.

(c) information on abatement measures listed in Point B, Point 2 of Annex VIII.

### **Amendment 124**

#### **Proposal for a directive**

#### **Article 19 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Member States shall ***consider including*** measures referred to in Article 20(2) and specific measures aiming at the protection of sensitive population and vulnerable groups, including children in their air quality plans .

Member States shall ***include*** measures referred to in Article 20(2) and specific measures aiming at the protection of sensitive population and vulnerable groups, including children in their air quality plans ***and air quality roadmaps***.

### **Amendment 125**

#### **Proposal for a directive**

#### **Article 19 – paragraph 5 – subparagraph 3**

*Text proposed by the Commission*

*Amendment*

Regarding the pollutants concerned, when preparing air quality plans, Member States shall assess the risk of exceeding the respective alert thresholds. That analysis shall be used for establishing short-term

Regarding the pollutants concerned, when preparing air quality plans ***or air quality roadmaps***, Member States shall assess the risk of exceeding the respective alert thresholds. That analysis shall be used for

action plans where applicable.

establishing short-term action plans where applicable.

## **Amendment 126**

### **Proposal for a directive**

#### **Article 19 – paragraph 5 – subparagraph 4**

##### *Text proposed by the Commission*

Where air quality plans shall be established in respect of several pollutants or air quality standards, Member States shall, where appropriate, establish integrated air quality plans covering all pollutants and air quality standards concerned.

##### *Amendment*

Where air quality plans **or air quality roadmaps** shall be established in respect of several pollutants or air quality standards, Member States shall, where appropriate, establish integrated air quality plans **or air quality roadmaps** covering all pollutants and air quality standards concerned.

## **Amendment 127**

### **Proposal for a directive**

#### **Article 19 – paragraph 5 – subparagraph 5**

##### *Text proposed by the Commission*

Member States shall, to the extent feasible, ensure consistency of their air quality plans with other plans that have a significant impact on air quality, including those required under Directive 2010/75/ EU of the European Parliament and of the Council<sup>58</sup>, Directives (EU) 2016/2284 and 2002/49/EC and under climate, energy, transport and agriculture legislation .

##### *Amendment*

Member States shall, to the extent feasible, ensure consistency of their air quality plans **and air quality roadmaps** with other plans that have a significant impact on air quality, including those required under Directive 2010/75/ EU of the European Parliament and of the Council<sup>58</sup>, Directives (EU) 2016/2284 and 2002/49/EC and under climate, **biodiversity protection**, energy, transport and agriculture legislation.

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<sup>58</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

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<sup>58</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

## **Amendment 128**



**Proposal for a directive**  
**Article 19 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. The Commission may, at the request of a Member State, provide assistance and technical expertise in the framework of the Technical Support Instrument (TSI) in order to support air quality policies and measures in the Member State concerned.**

**Amendment 129**

**Proposal for a directive**  
**Article 19 – paragraph 6 – subparagraph -1 (new)**

*Text proposed by the Commission*

*Amendment*

**Member States shall ensure that before the time period for receiving comments from the public starts, the draft air quality plan or draft air quality roadmap containing the minimum information required under Points A and B of Annex VIII is made available to the public on the internet, free of charge and without restricting access to registered users, and, where appropriate, through other non-digital communication channels. Member States may also make available to the public on the internet, free of charge and without restricting access to registered users, and, where appropriate, through other non-digital communication channels the following:**

**(a) information on the methods used to assess the estimated impact of the air quality plan or air quality roadmap pursuant to Point Ba of Annex VIII, and the background documents and information used for the development of the draft air quality plan or draft air quality roadmap;**

**(b) a non-technical summary of the information referred to in this subparagraph.**

## Amendment 130

### Proposal for a directive Article 19 – paragraph 6 – subparagraph 1

*Text proposed by the Commission*

Member States shall consult the public, in accordance with Directive 2003/35/EC of the European Parliament and of the Council<sup>59</sup>, and the competent authorities, which, by reason of their responsibilities in the field of air pollution and air quality, are likely to be concerned by the implementation of the air quality plans, on draft air quality plans and any significant updates of air quality plans prior to their finalisation.

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<sup>59</sup> Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC (OJ L 156, 25.6.2003, p. 17).

## Amendment 131

### Proposal for a directive Article 19 – paragraph 6 – subparagraph 2

*Text proposed by the Commission*

When preparing air quality plans, Member States shall ensure that stakeholders whose activities contribute to the exceedance situation are encouraged to propose measures they are able to take to help end the exceedances and that non-governmental organisations, such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population and

*Amendment*

Member States shall consult the public, in accordance with Directive 2003/35/EC of the European Parliament and of the Council<sup>59</sup>, and the competent authorities, which, by reason of their responsibilities in the field of air pollution and air quality, are likely to be concerned by the implementation of the air quality plans **and air quality roadmaps**, on draft air quality plans **and draft air quality roadmaps** and any significant updates of air quality plans **and air quality roadmaps** prior to their finalisation.

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<sup>59</sup> Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC (OJ L 156, 25.6.2003, p. 17).

*Amendment*

***Member States shall encourage the active involvement of all interested parties in the implementation of this Directive, in particular in the preparation, review and update of air quality plans and air quality roadmaps.*** When preparing air quality plans **and air quality roadmaps**, Member States shall ensure that stakeholders whose activities contribute to the exceedance situation are encouraged to propose

vulnerable groups, other relevant health-care bodies and the relevant industrial federations are **allowed** to take part in those consultations.

measures they are able to take to help end the exceedances and that non-governmental organisations, such as environmental **and health** organisations, consumer organisations, organisations representing the interests of sensitive population and vulnerable groups, other relevant health-care bodies, **including healthcare professionals** and the relevant industrial federations are **encouraged** to take part in those consultations. **Member States shall make sure that relevant stakeholders and citizens are duly informed about the specific sources and air pollutants affecting air quality and the relevant air pollution mitigation measures that exist and are available on the market.**

#### Amendment 132

##### Proposal for a directive Article 19 – paragraph 7

*Text proposed by the Commission*

7. Air quality plans shall be communicated to the Commission within 2 months after their adoption .

*Amendment*

7. Air quality plans **and air quality roadmaps** shall be communicated to the Commission within 2 months after their adoption .

#### Amendment 133

##### Proposal for a directive Article 19 – paragraph 7 a (new)

*Text proposed by the Commission*

*Amendment*

**7a. The Commission shall establish, by means of implementing acts, a template with the format and structure of the air quality plans and air quality roadmaps. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 26(2).**

#### Amendment 134

**Proposal for a directive**  
**Article 19 – paragraph 7 b (new)**

*Text proposed by the Commission*

*Amendment*

**7b. The Commission may establish guidance on the elaboration, implementation and revision of air quality plans and, where appropriate, air quality roadmaps.**

**Amendment 135**

**Proposal for a directive**  
**Article 19 – paragraph 7 c (new)**

*Text proposed by the Commission*

*Amendment*

**7c. The Commission shall facilitate the elaboration and implementation of the air quality plans and air quality roadmaps, where appropriate, through an exchange of good practices.**

**Amendment 136**

**Proposal for a directive**  
**Article 20 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

However, where there is a risk that the alert threshold for ozone Member States may refrain from drawing up such short-term action plans when there is no significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance.

However, where there is a risk that the alert threshold for ozone **will be exceeded**, Member States may refrain from drawing up such short-term action plans when there is no significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance.

**Amendment 137**

**Proposal for a directive**  
**Article 20 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***In order to inform citizens about poor air quality and its effects, competent authorities shall require the permanent display of easily understandable information on symptoms associated with air pollution peaks and on behaviour to reduce exposure to air pollution in the vicinity of communities of sensitive population and vulnerable groups.***

### **Amendment 138**

#### **Proposal for a directive Article 20 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. When drawing up the short-term action plans referred to in paragraph 1 Member States may, depending on the individual case, provide for effective measures to control and, where necessary, temporarily suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. Depending on the share of the main pollution sources to the exceedances to be addressed, ***those short-term action plans*** shall consider including measures in relation to transport, construction works, industrial installations and the use of products and domestic heating. Specific actions aiming at the protection of sensitive population and vulnerable groups, including children, shall also be considered in the framework of those plans.

2. When drawing up the short-term action plans referred to in paragraph 1 Member States may, depending on the individual case, provide for effective measures to control and, where necessary, temporarily suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. ***Member States shall also take into consideration the list of measures set out in Annex VIIIa for their short-term action plans, and*** depending on the share of the main pollution sources to the exceedances to be addressed, shall ***at least*** consider including measures in relation to transport, construction works, industrial installations and the use of products and domestic heating. Specific actions aiming at the protection of sensitive population and vulnerable groups, including children shall also be considered in the framework of those plans.

### **Amendment 139**

#### **Proposal for a directive Article 20 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. Member States may request the Commission to provide technical assistance and support in drawing up the short-term action plans.**

## **Amendment 140**

### **Proposal for a directive Article 20 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. When Member States have drawn up a short-term action plan, they shall make available to the public and to appropriate organisations such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population and vulnerable groups, other relevant health-care bodies and the relevant industrial federations both the results of their investigations on the feasibility and the content of specific short-term action plans as well as information on the implementation of these plans.

4. When Member States have drawn up a short-term action plan, they shall make available to the public and to appropriate organisations such as environmental **and health** organisations, consumer organisations, organisations representing the interests of sensitive population and vulnerable groups, **healthcare professionals**, other relevant health-care bodies and the relevant industrial federations both the results of their investigations on the feasibility and the content of specific short-term action plans as well as information on the implementation of these plans.

## **Amendment 141**

### **Proposal for a directive Article 20 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. Member States shall use modelling and forecasting to identify the risk that the levels of pollutants will exceed one or more of the alert thresholds and shall ensure that emergency measures enter into force soon after a risk of exceedance is forecasted in order to prevent such exceedance.**

## Amendment 142

### Proposal for a directive Article 20 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. The Commission may establish guidelines setting out best practices for drawing up short-term action plans, including examples of best practices for the protection of sensitive population and vulnerable groups, including children. Those examples shall be updated regularly. The Commission shall promote the exchange of best practices among Member States through the EU Clean Air Forum.**

## Amendment 143

### Proposal for a directive Article 21 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

The Member States concerned shall cooperate to identify the sources of air pollution and the measures to be taken to address those sources, and draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 19, in order to remove such exceedances .

The Member States concerned shall cooperate **at national, regional and local level, including by establishing joint teams of experts**, to identify the sources of air pollution and the **shares of pollution originating from each country and the** measures to be taken **individually and jointly** to address those sources, and draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 19, in order to remove such exceedances.

## Amendment 144

### Proposal for a directive Article 21 – paragraph 1 – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**The Member States concerned shall inform the Commission without undue**

*delay of the situation and measures taken.*

## **Amendment 145**

### **Proposal for a directive**

#### **Article 21 – paragraph 1 – subparagraph 3**

*Text proposed by the Commission*

Member States shall respond to each other in a timely manner, and no later than **3** months after being notified by another Member State in accordance with the first subparagraph.

*Amendment*

Member States shall respond to each other in a timely manner, and no later than **2** months after being notified by another Member State in accordance with the first subparagraph.

## **Amendment 146**

### **Proposal for a directive**

#### **Article 21 – paragraph 2**

*Text proposed by the Commission*

2. The Commission shall be informed of, and invited to be present **and to** assist **in** any cooperation referred to in paragraph 1 of this Article . Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 11 of Directive (EU) 2016/2284 , consider whether further action shall be taken at Union level in order to reduce precursor emissions responsible for transboundary pollution.

*Amendment*

2. The Commission shall be informed of, and invited to be present, assist **and oversee** any cooperation referred to in paragraph 1 of this Article. **The Commission may also, in cooperation with the Member States concerned, draw up working plans for the implementation of proposed measures.** Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 11 of Directive (EU) 2016/2284, consider whether further action shall be taken at Union level in order to reduce precursor emissions responsible for transboundary pollution.

## **Amendment 147**

### **Proposal for a directive**

#### **Article 21 – paragraph 3 a (new)**



*Text proposed by the Commission*

*Amendment*

**3a. Where a Member State takes legal action for a violation of the national provisions adopted pursuant to this Directive, as referred to in Article 29, that have caused air pollution in another Member State, Member States shall cooperate in an efficient manner.**

#### **Amendment 148**

##### **Proposal for a directive Article 22 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Member States shall ensure that the public as well as appropriate organisations such as environmental organisations, consumer organisations, organisations representing the interests of sensitive populations and vulnerable groups, other relevant health-care bodies and the relevant industrial federations are informed, adequately and in good time, of the following:

1. Member States shall ensure that the public as well as appropriate organisations such as environmental **and health** organisations, consumer organisations, organisations representing the interests of sensitive populations and vulnerable groups, **healthcare professionals and** other relevant health-care bodies and the relevant industrial federations are informed, adequately and in good time, of the following:

#### **Amendment 149**

##### **Proposal for a directive Article 22 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) air quality in accordance with Annex **points 1 and 3 of IX**;

(a) air quality in accordance with Annex IX;

#### **Amendment 150**

##### **Proposal for a directive Article 22 – paragraph 1 – point a (new)**

*Text proposed by the Commission*

*Amendment*

**(aa) any observed lack of data from sampling points, in particular in relation to the data referred to in point 1, points (a) and (b), of Annex IX;**

#### **Amendment 151**

##### **Proposal for a directive Article 22 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) air quality plans as provided for in Article 19;

(c) air quality plans **and air quality roadmaps** as provided for in Article 19;

#### **Amendment 152**

##### **Proposal for a directive Article 22 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) short-term action plans **as provided for in** Article 20;

(d) short-term action plans **drawn up in accordance with** Article 20;

#### **Amendment 153**

##### **Proposal for a directive Article 22 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**(da) overview of air pollution sources and air pollutants affecting air quality in a Member State concerned;**

#### **Amendment 154**

##### **Proposal for a directive Article 22 – paragraph 1 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(db) documentation submitted to the Commission in relation to exceedances caused by natural sources referred to in Article 16(2);***

## **Amendment 155**

### **Proposal for a directive Article 22 – paragraph 1 – point d c (new)**

*Text proposed by the Commission*

*Amendment*

***(dc) documentation on site selection referred to in point D of Annex IV;***

## **Amendment 156**

### **Proposal for a directive Article 22 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

(e) the effects of exceedances of limit values, ozone target values, average exposure reduction obligations, information thresholds and alert thresholds in a summary assessment ; the summary assessment shall include, where appropriate, further information and assessments on forest protection as well as information on pollutants covered by Article 10 and Annex VII.

(e) the effects of exceedances of limit values, ozone target values, average exposure reduction obligations ***and average exposure concentration objectives***, information thresholds and alert thresholds in a summary assessment ; the summary assessment shall include, where appropriate, further information and assessments on forest protection as well as information on pollutants covered by Article 10 and Annex VII.

## **Amendment 157**

### **Proposal for a directive Article 22 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM<sub>10</sub>)

2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM<sub>10</sub>)

and PM<sub>2.5</sub>) and ozone, and make it available through a public source providing an hourly update. The air quality index shall **consider the** recommendations by the WHO and **build** on the air quality indices at European scale provided by the European Environmental Agency.

and PM<sub>2.5</sub>) and ozone, and make it available **in a coherent and easily understandable manner** through a public source providing an hourly update, **ensuring that sufficient real-time data is available in all stations**. The air quality index shall **be comparable across all Member States and follow the most up-to-date** recommendations by the WHO and **be based** on the air quality indices at European scale provided by the European Environmental Agency. **The air quality index shall be accompanied by information about the associated health risks for each pollutant, including information tailored to sensitive population and vulnerable groups.**

#### Amendment 158

##### Proposal for a directive Article 22 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. By ... [12 months after the date of entry into force of this Directive], the Commission shall adopt delegated acts in accordance with Article 25 to supplement this Directive by specifying how the air quality index shall be calculated and presented, and the format and structure of the information provided to the public.**

#### Amendment 159

##### Proposal for a directive Article 22 – paragraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

**2b. Member States shall promote the display of information on symptoms associated with air pollution peaks and on air pollution exposure reduction and protection behaviours, in buildings frequented by sensitive population and vulnerable groups, such as healthcare**

*facilities.*

## **Amendment 160**

### **Proposal for a directive Article 22 – paragraph 3**

*Text proposed by the Commission*

3. Member States shall inform the public of the competent authority or body designated in relation to the tasks referred to in Article 5.

*Amendment*

3. Member States shall inform the public of the competent authority or body designated in relation to the tasks referred to in Article 5 ***and of the competent authority or body operating the sampling points established pursuant to Article 9 and Annex IV.***

## **Amendment 161**

### **Proposal for a directive Article 22 – paragraph 4**

*Text proposed by the Commission*

4. The information referred to in this Article shall be made available to the public free of charge by means of easily accessible media and communication channels in accordance with Directive 2007/2/EC<sup>60</sup> and Directive (EU)2019/1024<sup>61</sup> of the European Parliament and of the Council .

*Amendment*

4. The information referred to in this Article shall be made available to the public free of charge by means of easily accessible media and communication channels in ***a coherent and easily understandable manner in*** accordance with Directive 2007/2/EC<sup>60</sup> and Directive (EU)2019/1024<sup>61</sup> of the European Parliament and of the Council ***while ensuring broad public access.***

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<sup>60</sup> Directive 2007/2/EC of the European Parliament and the Council of 14 March 2007 establishing an infrastructure for spatial information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

<sup>61</sup> Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).

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<sup>60</sup> Directive 2007/2/EC of the European Parliament and the Council of 14 March 2007 establishing an infrastructure for spatial information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

<sup>61</sup> Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).

## Amendment 162

### Proposal for a directive

#### Article 23 – paragraph 2 – introductory part

##### *Text proposed by the Commission*

2. For the specific purpose of assessing compliance with the limit values, ozone target values, average exposure reduction obligations and critical levels, the information referred to in paragraph 1 shall be made available to the Commission no later than 4 months after the end of each calendar year and shall include:

##### *Amendment*

2. For the specific purpose of assessing compliance with the limit values, ozone target values, average exposure reduction obligations, ***average exposure concentration objectives***, and critical levels, the information referred to in paragraph 1 shall be made available to the Commission no later than 4 months after the end of each calendar year and shall include:

## Amendment 163

### Proposal for a directive

#### Article 23 – paragraph 2 – point a

##### *Text proposed by the Commission*

(a) the changes made in that year to the list and delimitation of zones established under Article 6 or any NUTS **1** territorial unit ;

##### *Amendment*

(a) the changes made in that year to the list and delimitation of zones established under Article 6 or any NUTS **2** territorial unit ;

## Amendment 164

### Proposal for a directive

#### Article 23 – paragraph 2 – point b – introductory part

##### *Text proposed by the Commission*

(b) the list of zones and NUTS **1** territorial units and the levels of pollutants assessed. For zones in which the levels of one or more pollutants are higher than the limit values or critical levels, as well as for NUTS **1** territorial units where the levels of one or more pollutants are higher than the target values **or** average exposure reduction obligations:

##### *Amendment*

(b) the list of zones and NUTS **2** territorial units and the levels of pollutants assessed. For zones in which the levels of one or more pollutants are higher than the limit values or critical levels, as well as for NUTS **2** territorial units where the levels of one or more pollutants are higher than the target values, average exposure reduction obligations **or average exposure**

*concentration objectives:*

## Amendment 165

### Proposal for a directive Article 25 – paragraph 2

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Article 24 shall be conferred on the Commission for *an indeterminate* period of *time from ...* [date of entry into force of this Directive].

*Amendment*

2. The power to adopt delegated acts referred to in Article **22(2a)**, **Article 24** and **Article 29(3a)** shall be conferred on the Commission for *a* period of **five years from ...** [date of entry into force of this Directive]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

## Amendment 166

### Proposal for a directive Article 25 – paragraph 3

*Text proposed by the Commission*

3. The delegation of power referred to in Article 24 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

*Amendment*

3. The delegation of power referred to in Article **22(2a)**, **Article 24** and **Article 29(3a)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

## Amendment 167

**Proposal for a directive**  
**Article 25 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

A delegated act adopted pursuant to Article 24 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

*Amendment*

A delegated act adopted pursuant to Article **22(2a), Article 24 and Article 29(3a)** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

**Amendment 168**

**Proposal for a directive**  
**Article 27 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

Member States shall ensure that, in accordance with their national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law, to challenge the substantive or procedural legality of all decisions, acts or omissions concerning air quality plans referred to in Article 19, and short term action plans referred to in Article 20, **of the Member State**, provided that any of the following conditions is met:

*Amendment*

Member States shall ensure that, in accordance with their national legal system, members of the public concerned have access to a review procedure before a court of law, or another independent and impartial body established by law, to challenge the substantive or procedural legality of all decisions, acts or omissions **by Member States including, but not limited to, those concerning the classification of zones under Article 7, the network design, location and relocation of sampling points under Article 9, air quality plans and air quality roadmaps** referred to in Article 19 and short term action plans referred to in Article 20, provided that any of the following conditions is met:

**Amendment 169**



**Proposal for a directive**  
**Article 27 – paragraph 1 – subparagraph 3**

*Text proposed by the Commission*

The interest of any non-governmental organisation which *is a member* of the public concerned shall be deemed sufficient for the purposes of the first paragraph, point (a). Such organisations shall also be deemed to have rights capable of being impaired for the purposes of the first paragraph, point (b).

*Amendment*

The interest *of any natural person affected or likely to be affected by exceedances of air quality standards, or having an interest in the decision-making procedures related to the implementation of the obligations under this Directive, and* of any non-governmental organisation, which *are both members* of the public concerned shall be deemed sufficient for the purposes of the first paragraph, point (a). Such *natural persons and* organisations shall also be deemed to have rights capable of being impaired for the purposes of the first paragraph, point (b).

**Amendment 170**

**Proposal for a directive**  
**Article 27 – paragraph 2**

*Text proposed by the Commission*

2. To have standing to participate in the review procedure shall not be conditional on the role that the member of the public concerned played during a participatory phase of the decision-making procedures *related to Article 19 or 20*.

*Amendment*

2. To have standing to participate in the review procedure shall not be conditional on the role that the member of the public concerned played during a participatory phase of the decision-making procedures *under this Directive*.

**Amendment 171**

**Proposal for a directive**  
**Article 28 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall ensure that natural persons who suffer damage to human health caused by a violation of Articles 19(1) to 19(4), 20(1) and 20(2), 21(1) second *sub-paragraph* and 21(3) of this Directive by the competent authorities are entitled to compensation in accordance

*Amendment*

1. Member States shall ensure that natural persons who suffer damage to human health caused by a violation of *this Directive, including, but not limited to, Article 13*, Articles 19(1) to 19(4), 20(1) and 20(2), *Article 21(1), second subparagraph, and Article 21(3)* of this

with this article.

Directive by *an omission, decision, act or delay of a decision or act of* the competent authorities are entitled to compensation in accordance with this article.

## Amendment 172

### Proposal for a directive Article 28 – paragraph 2

#### *Text proposed by the Commission*

2. Member States shall ensure that non-governmental organisations promoting the protection of human health or the environment ***and meeting any requirements under national law*** are allowed to represent natural persons referred to in paragraph 1 and bring collective actions for compensation. The requirements set out in Article 10 and Article 12(1) of Directive (EU) 2020/1828 shall mutatis mutandis apply to such collective actions.

#### *Amendment*

2. Member States shall ensure that non-governmental organisations promoting the protection of human health or the environment are allowed to represent natural persons referred to in paragraph 1 and bring collective actions for compensation. The requirements set out in Article 10 and Article 12(1) of Directive (EU) 2020/1828 shall mutatis mutandis apply to such collective actions.

## Amendment 173

### Proposal for a directive Article 28 – paragraph 4 – subparagraph 1

#### *Text proposed by the Commission*

Where a claim for compensation is supported by evidence ***showing*** that the violation referred to in paragraph 1 ***is the most plausible explanation for*** the occurrence of the damage of that person, the causal link between the violation and the occurrence of the damage shall be presumed.

#### *Amendment*

Where a claim for compensation is supported by evidence, ***including relevant scientific data, from which it may be presumed*** that the violation referred to in paragraph 1 ***has caused or contributed to*** the occurrence of the damage of that person, the causal link between the violation and the occurrence of the damage shall be presumed.

## Amendment 174

### Proposal for a directive Article 28 – paragraph 4 – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***Member States shall ensure that where the claimant has provided reasonably available evidence to support a claim for compensation in accordance with paragraph 1, and has reasonably substantiated that additional evidence lies in the control of the respondent public authority or a third party, if requested by the claimant, the court or administrative authority is able to order that such evidence be disclosed by the respondent public authority or third party in accordance with national procedural law and subject to the applicable Union and national rules on confidentiality and proportionality.***

#### **Amendment 175**

**Proposal for a directive**

**Article 28 – paragraph 4 – subparagraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***The violation of this Directive by the respondent public authority shall be presumed where the respondent public authority has failed to comply with an obligation to disclose relevant requested evidence at its disposal pursuant to this paragraph.***

#### **Amendment 176**

**Proposal for a directive**

**Article 28 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. For the purpose of this Article, ‘relevant scientific data’ means statistical, epidemiological and other data demonstrating a statistically robust causal relationship between certain types of pollution and certain health conditions.***

## Amendment 177

### Proposal for a directive Article 28 – paragraph 6

*Text proposed by the Commission*

6. Member States shall ensure that the limitation periods for bringing actions for compensation as referred to in paragraph 1 are not less than **5** years. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows, or can reasonably be expected to know, that he or she suffered damage from a violation as referred to in paragraph 1.

*Amendment*

6. Member States shall ensure that the limitation periods for bringing actions for compensation as referred to in paragraph 1 are not less than **10** years. Such periods shall not begin to run before the violation has ceased and the person claiming the compensation knows, or can reasonably be expected to know, that he or she suffered damage from a violation as referred to in paragraph 1.

## Amendment 178

### Proposal for a directive Article 29 – paragraph 3 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) the real or estimated economic benefits derived from the violation;***

## Amendment 179

### Proposal for a directive Article 29 – paragraph 3 – point c

*Text proposed by the Commission*

(c) the population, including sensitive population and vulnerable groups, or the environment affected by the violation, taking into account the objective of achieving a high level of protection of human health and the environment;

*Amendment*

(c) the population, including sensitive population and vulnerable groups, or the environment affected by the violation, ***and the harm caused***, taking into account the objective of achieving a high level of protection of human health and the environment;

## Amendment 180

**Proposal for a directive**  
**Article 29 – paragraph 3 – point d**

*Text proposed by the Commission*

(d) the repetitive or singular character of the violation.

*Amendment*

(d) the repetitive or singular character of the violation, ***including any previous receipt of an admonition penalty, or administrative or criminal sanction.***

**Amendment 181**

**Proposal for a directive**  
**Article 29 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. By ... [6 months after the date of entry into force of this Directive], the Commission shall adopt delegated acts in accordance with Article 25 to supplement this Directive by laying down common criteria for determining the amount of penalties referred to in paragraph 1 of this Article.***

**Amendment 182**

**Proposal for a directive**  
**Article 29 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***3b. Member States shall ensure that revenues from penalties referred to in paragraph 1 of this Article are used, as a matter of priority, to finance measures related to the improvement of air quality. Member States shall make publicly available information on the use of these revenues. Without prejudice to Article 28, revenues raised from penalties shall not be used for the purpose of that Article.***

**Amendment 183**

**Proposal for a directive**  
**Article 31 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 1, 2 and 3, Article 4, points (2), (13), (14), (16), (18), (19), (21), (22), points (24) to (30), points (36), (37), (38) and (39), Articles 5 to 12, Article 13(1), (2), (3), (6) and (7), Article 15, Article 16(1) and (2), Articles 17 *to* 21, Article 22(1), (2) and (4), Articles 23 to 29 and Annexes I to IX by [insert date : **two years** after entry into force] at the latest .

*Amendment*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 1, 2 and 3, Article 4, points (2), (13), (14), (16), (18), (19), (21), (22), points (24) to (30), points (36), (37), (38) and (39), Articles 5 to 12, Article 13(1), (2), (3), (6) and (7), Article 15, Article 16(1) and (2), Articles 17, **18, 20 and 21**, Article 22(1), (2) and (4), Articles 23 to 29 and Annexes I to IX by [insert date : **18 months** after entry into force] at the latest .

**Amendment 184**

**Proposal for a directive**  
**Article 31 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 19 by ... [three months after the date of entry into force of this Directive] at the latest.***

**Amendments 300 and 330**

**Proposal for a directive**  
**Annex I – Section 1 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

Table 1 – Limit values for the protection of human health to be attained by 1 January **2030**

Table 1 – Limit values for the protection of human health to be attained by 1 January **2035**

**Amendment 185**  
**Proposal for a directive**  
**Annex I – Section 1 – table 1**

*Text proposed by the Commission*

Averaging period	Limit value	
<b>PM<sub>2.5</sub></b>		
1 day	<b>25</b> µg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
Calendar year	<b>10</b> µg/m <sup>3</sup>	
<b>PM<sub>10</sub></b>		
1 day	45 µg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
Calendar year	<b>20</b> µg/m <sup>3</sup>	
<b>Nitrogen dioxide (NO<sub>2</sub>)</b>		
1 hour	200 µg/m <sup>3</sup>	not to be exceeded more than once per calendar year
1 day	<b>50</b> µg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
Calendar year	<b>20</b> µg/m <sup>3</sup>	
<b>Sulphur dioxide (SO<sub>2</sub>)</b>		
1 hour	<b>350</b> µg/m <sup>3</sup>	not to be exceeded more than once per calendar year
1 day	<b>50</b> µg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m <sup>3</sup>	
<b>Benzene</b>		
Calendar year	<b>3,4</b> µg/m <sup>3</sup>	
<b>Carbon monoxide (CO)</b>		
maximum daily 8 – hour mean (1)	10 mg/m <sup>3</sup>	
1 day	4 mg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
<b>Lead (Pb)</b>		
Calendar year	<b>0,5</b> µg/m <sup>3</sup>	
<b>Arsenic (As)</b>		
Calendar year	6,0 ng/m <sup>3</sup>	
<b>Cadmium (Cd)</b>		
Calendar year	5,0 ng/m <sup>3</sup>	
<b>Nickel (Ni)</b>		
Calendar year	20 ng/m <sup>3</sup>	
<b>Benzo(a)pyrene</b>		
Calendar year	1,0 ng/m <sup>3</sup>	
(1) The maximum daily 8-hour mean concentration will be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated will be assigned to the day on which it ends i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on that day.		

*Amendment*

Averaging period	Limit value	
<b>PM<sub>2.5</sub></b>		
1 day	<b>15</b> µg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year

Calendar year	<b>5</b> µg/m <sup>3</sup>	
PM <sub>10</sub>		
1 day	45 µg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
Calendar year	<b>15</b> µg/m <sup>3</sup>	
Nitrogen dioxide (NO <sub>2</sub> )		
1 hour	200 µg/m <sup>3</sup>	not to be exceeded more than once per calendar year
1 day	<b>25</b> µg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
Calendar year	<b>10</b> µg/m <sup>3</sup>	
Sulphur dioxide (SO <sub>2</sub> )		
1 hour	<b>200</b> µg/m <sup>3</sup>	not to be exceeded more than once per calendar year
1 day	<b>40</b> µg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m <sup>3</sup>	
Benzene		
Calendar year	<b>0,17</b> µg/m <sup>3</sup>	
Carbon monoxide (CO)		
maximum daily 8 – hour mean (1)	10 mg/m <sup>3</sup>	
1 day	4 mg/m <sup>3</sup>	not to be exceeded more than 18 times per calendar year
Lead (Pb)		
Calendar year	<b>0,15</b> µg/m <sup>3</sup>	
Arsenic (As)		
Calendar year	6,0 ng/m <sup>3</sup>	
Cadmium (Cd)		
Calendar year	5,0 ng/m <sup>3</sup>	
Nickel (Ni)		
Calendar year	20 ng/m <sup>3</sup>	
Benzo(a)pyrene		
Calendar year	1,0 ng/m <sup>3</sup>	
(1) The maximum daily 8-hour mean concentration will be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated will be assigned to the day on which it ends i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on that day.		

## Amendment 301

### Proposal for a directive Annex I – Section 1 – table 1 A (new) – title

*Text proposed by the Commission*

*Amendment*

***Table 1A – Intermediate limit values for the protection of human health to be attained by 1 January 2030***



## Amendment 302

### Proposal for a directive Annex I – Section 1 – table 1 A (new)

*Text proposed by the Commission*

#### *Amendment*

<i>Averaging period</i>	<i>Limit value</i>	
<b><i>PM2.5</i></b>		
<i>1 day</i>	<i>25 µg/m<sup>3</sup></i>	<i>not to be exceeded more than 18 times per calendar year</i>
<i>Calendar year</i>	<i>10 µg/m<sup>3</sup></i>	
<b><i>PM10</i></b>		
<i>1 day</i>	<i>45 µg/m<sup>3</sup></i>	<i>not to be exceeded more than 18 times per calendar year</i>
<i>Calendar year</i>	<i>20 µg/m<sup>3</sup></i>	
<b><i>Nitrogen dioxide (NO<sub>2</sub>)</i></b>		
<i>1 hour</i>	<i>200 µg/m<sup>3</sup></i>	<i>not to be exceeded more than once per calendar year</i>
<i>1 day</i>	<i>50 µg/m<sup>3</sup></i>	<i>not to be exceeded more than 18 times per calendar year</i>
<i>Calendar year</i>	<i>20 µg/m<sup>3</sup></i>	
<b><i>Sulphur dioxide (SO<sub>2</sub>)</i></b>		
<i>1 hour</i>	<i>350 µg/m<sup>3</sup></i>	<i>not to be exceeded more than once per calendar year</i>
<i>1 day</i>	<i>50 µg/m<sup>3</sup></i>	<i>not to be exceeded more than 18 times per calendar year</i>
<i>Calendar year</i>	<i>20 µg/m<sup>3</sup></i>	
<b><i>Benzene</i></b>		
<i>Calendar year</i>	<i>3,4 µg/m<sup>3</sup></i>	
<b><i>Carbon monoxide (CO)</i></b>		
<i>maximum daily 8 – hour mean (1)</i>	<i>10 mg/m<sup>3</sup></i>	
<i>1 day</i>	<i>4 mg/m<sup>3</sup></i>	<i>not to be exceeded more than 18 times per calendar year</i>
<b><i>Lead (Pb)</i></b>		
<i>Calendar year</i>	<i>0,5 µg/m<sup>3</sup></i>	

<b>Arsenic (As)</b>	
<b>Calendar year</b>	<b>6,0 ng/m<sup>3</sup></b>
<b>Cadmium (Cd)</b>	
<b>Calendar year</b>	<b>5,0 ng/m<sup>3</sup></b>
<b>Nickel (Ni)</b>	
<b>Calendar year</b>	<b>20 ng/m<sup>3</sup></b>
<b>Benzo(a)pyrene</b>	
<b>Calendar year</b>	<b>1,0 ng/m<sup>3</sup></b>
<b>(1) The maximum daily 8-hour mean concentration will be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated will be assigned to the day on which it ends i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on that day.</b>	

## Amendment 186

### Proposal for a directive

#### Annex I – Section 2 – point B – table

*Text proposed by the Commission*

#### B Ozone target values

Objective	Averaging period	Target value	
Protection of human health	Maximum daily 8-hour mean (1)	<b>120 µg/m<sup>3</sup></b>	not to be exceeded on more than 18 days per calendar year averaged over 3 years (2)
Protection of the environment	May to July	AOT40 (calculated from 1-hour values)	18 000 µg/m <sup>3</sup> × h averaged over 5 years (2)
<p>(1) The maximum daily 8-hour mean concentration shall be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated shall be assigned to the day on which it ends. i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on the day.</p>			
<p>(2) If the 3- or 5-year averages cannot be determined on the basis of a full and consecutive set of annual data, the minimum annual data required for checking compliance with the target values will be as follows:</p> <ul style="list-style-type: none"> <li>- for the target value for the protection of human health: valid data for 1 year,</li> <li>- for the target value for the protection of vegetation: valid data for 3 years.</li> </ul>			

#### *Amendment*

#### B Ozone target values

Objective	Averaging period	Target value
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Protection of human health	Maximum daily 8-hour mean <sup>(1)</sup>	<b>110</b> µg/m <sup>3</sup>	not to be exceeded on more than 18 days per calendar year averaged over 3 years <sup>(2)</sup>
Protection of the environment	May to July	AOT40 (calculated from 1-hour values)	18 000 µg/m <sup>3</sup> × h averaged over 5 years <sup>(2)</sup>
(1) The maximum daily 8-hour mean concentration shall be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated shall be assigned to the day on which it ends. i.e. the first calculation period for any 1 day will be the period from 17.00 on the previous day to 1.00 on that day; the last calculation period for any 1 day will be the period from 16.00 to 24.00 on the day.			
(2) If the 3- or 5-year averages cannot be determined on the basis of a full and consecutive set of annual data, the minimum annual data required for checking compliance with the target values will be as follows: - for the target value for the protection of human health: valid data for 1 year, - for the target value for the protection of vegetation: valid data for 3 years.			

## Amendment 187

### Proposal for a directive

#### Annex I – Section 2 – point C – table

*Text proposed by the Commission*

#### C Long-term objectives for ozone (O<sub>3</sub>)

Objective	Averaging period	Long-term objective	
Protection of human health	Maximum daily 8-hour mean within a calendar year	100 µg/m <sup>3</sup> <sup>(1)</sup>	
Protection of vegetation	May to July	AOT40 (calculated from 1 h values)	6 000 µg/m <sup>3</sup> × h
(1) 99 <sup>th</sup> percentile (i.e. 3 exceedance days per year).			

#### *Amendment*

Objective	Averaging period	Long-term objective	
Protection of human health	Maximum daily 8-hour mean within a calendar year	100 µg/m <sup>3</sup> <sup>(1)</sup>	
	<b>Peak season</b>	<b>60 µg/m<sup>3</sup></b> <sup>(2)</sup>	
Protection of vegetation	May to July	AOT40 (calculated from 1 h values)	6 000 µg/m <sup>3</sup> × h
(1) 99 <sup>th</sup> percentile (i.e. 3 exceedance days per year).			
(2) <b>Average of daily maximum 8-hour mean O<sub>3</sub> concentration in the six consecutive months with the highest six-month running average O<sub>3</sub> concentration.</b>			

## Amendment 188

### Proposal for a directive Annex I – Section 4 – point A – title

*Text proposed by the Commission*

*Amendment*

A Alert thresholds *for pollutants other than ozone*

A Alert thresholds

## Amendment 189

### Proposal for a directive Annex I – Section 4 – point A – paragraph 1

*Text proposed by the Commission*

*Amendment*

*To be measured over* 3 consecutive hours in the case of sulphur dioxide *and* nitrogen dioxide, and over *three* consecutive days for PM<sub>10</sub> and PM<sub>2.5</sub>, at locations representative of air quality over at least 100 km<sup>2</sup> or an entire zone, whichever is the smaller.

*The alert thresholds are triggered when the values in the following table are exceeded for* 3 consecutive hours in the case of sulphur dioxide, nitrogen dioxide *and ozone*, and over *3* consecutive days for PM<sub>10</sub> and PM<sub>2.5</sub>, at locations representative of air quality over at least 100 km<sup>2</sup> or an entire zone, whichever is the smaller.

## Amendment 190

### Proposal for a directive Annex I – Section 4 – point A – table

*Text proposed by the Commission*

Pollutant	Alert threshold
Sulphur dioxide (SO <sub>2</sub> )	<b>500</b> µg/m <sup>3</sup>
Nitrogen dioxide (NO <sub>2</sub> )	<b>400</b> µg/m <sup>3</sup>
PM <sub>2.5</sub>	50 µg/m <sup>3</sup>
PM <sub>10</sub>	90 µg/m <sup>3</sup>

*Amendment*

Pollutant	Alert threshold
Sulphur dioxide (SO <sub>2</sub> )	<b>200</b> µg/m <sup>3</sup>
Nitrogen dioxide (NO <sub>2</sub> )	<b>100</b> µg/m <sup>3</sup>
PM <sub>2.5</sub>	50 µg/m <sup>3</sup>
PM <sub>10</sub>	90 µg/m <sup>3</sup>
<b>Ozone (O<sub>3</sub>)</b>	<b>240</b> µg/m <sup>3</sup>

## Amendment 191

### Proposal for a directive Annex I – Section 4 – point B – title

*Text proposed by the Commission*

*Amendment*

B Information **and alert** thresholds **for ozone**

B Information thresholds

## Amendment 192

### Proposal for a directive Annex I – Section 4 – point B – paragraph -1 (new)

*Text proposed by the Commission*

*Amendment*

*The information thresholds are triggered when the values in the following table are exceeded for a 24-hour period in the case of sulphur dioxide, nitrogen dioxide, PM<sub>10</sub> and PM<sub>2.5</sub>, and for 3 consecutive hours in the case of ozone.*

## Amendment 193

### Proposal for a directive Annex I – Section 4 – point B – table *Text proposed by the Commission*

<i>Purpose</i>	<i>Averaging period</i>	<i>Threshold</i>
<i>Information</i>	<i>1 hour</i>	<i>180 µg/m<sup>3</sup></i>
<i>Alert</i>	<i>1 hour (1)</i>	<i>240 µg/m<sup>3</sup></i>
<i>(1) For the implementation of Article 20, the exceedance of the threshold is to be measured or predicted for 3 consecutive hours.</i>		

*Amendment*

<i>Pollutant</i>	<i>Information threshold</i>
<i>Sulphur dioxide (SO<sub>2</sub>)</i>	<i>40 µg/m<sup>3</sup></i>
<i>Nitrogen dioxide (NO<sub>2</sub>)</i>	<i>25 µg/m<sup>3</sup></i>
<i>PM<sub>2.5</sub></i>	<i>15 µg/m<sup>3</sup></i>
<i>PM<sub>10</sub></i>	<i>45 µg/m<sup>3</sup></i>
<i>Ozone (O<sub>3</sub>)</i>	<i>180 µg/m<sup>3</sup></i>

## Amendment 194

**Proposal for a directive**  
**Annex I – Section 5 – point A – paragraph 1**

*Text proposed by the Commission*

The Average Exposure Indicator expressed in  $\mu\text{g}/\text{m}^3$  (AEI) shall be based upon measurements in urban background locations in territorial units at NUTS **1** level throughout the territory of a Member State. It shall be assessed as a 3-calendar-year running annual mean concentration averaged over all sampling points of the relevant pollutant **established pursuant to Point B of Annex III** in each NUTS **1** territorial unit. The AEI for a particular year shall be the mean concentration of that same year and the preceding 2 years.

*Amendment*

The Average Exposure Indicator expressed in  $\mu\text{g}/\text{m}^3$  (AEI) shall be based upon measurements **at all sampling points** in urban background locations in territorial units at NUTS **2** level throughout the territory of a Member State. It shall be assessed as a 3-calendar-year running annual mean concentration averaged over all sampling points of the relevant pollutant in each NUTS **2** territorial unit. The AEI for a particular year shall be the mean concentration of that same year and the preceding 2 years.

**Amendment 195**

**Proposal for a directive**  
**Annex I – Section 5 – point A – paragraph 2**

*Text proposed by the Commission*

Where Member States identify exceedances attributable to natural sources, contributions from natural sources shall be deducted before calculating the AEI.

*Amendment*

Where Member States identify exceedances attributable to natural sources, **which the Member State or Member States could not have mitigated**, contributions from natural sources shall be deducted before calculating the AEI.

**Amendment 196**

**Proposal for a directive**  
**Annex I – Section 5 – point B – paragraph 1 – indent 1**

*Text proposed by the Commission*

– for  $\text{PM}_{2.5}$ , 25% lower than the AEI was **10** years before, unless it is already no higher than the average exposure concentration objective for  $\text{PM}_{2.5}$  defined in Section C.

*Amendment*

– for  $\text{PM}_{2.5}$ , 25% lower than the AEI was **7** years before, unless it is already no higher than the average exposure concentration objective for  $\text{PM}_{2.5}$  defined in Section C.

## Amendment 197

### Proposal for a directive

#### Annex I – Section 5 – point B – paragraph 1 – indent 2

*Text proposed by the Commission*

– for NO<sub>2</sub>, 25% lower than the AEI was **10** years before, unless it is already no higher than the average exposure concentration objective for NO<sub>2</sub> defined in Section C.

*Amendment*

– for NO<sub>2</sub>, 25% lower than the AEI was **7** years before, unless it is already no higher than the average exposure concentration objective for NO<sub>2</sub> defined in Section C.

## Amendment 303

### Proposal for a directive

#### Annex II – Section 1 – title

*Text proposed by the Commission*

SECTION 1 – ASSESSMENT  
THRESHOLDS FOR HEALTH  
**PROTECTION**

*Amendment*

SECTION 1 – ASSESSMENT  
THRESHOLDS FOR **THE LIMIT  
VALUES FOR THE PROTECTION OF  
HUMAN HEALTH TO BE ATTAINED  
BY 1 JANUARY 2035**

## Amendment 198

### Proposal for a directive

#### Annex II – Section 1 – table

*Text proposed by the Commission*

Pollutant	Assessment threshold (annual mean, unless specified)
PM <sub>2.5</sub>	<b>5</b> µg/m <sup>3</sup>
PM <sub>10</sub>	<b>15</b> µg/m <sup>3</sup>
Nitrogen dioxide (NO <sub>2</sub> )	<b>10</b> µg/m <sup>3</sup>
Sulphur dioxide (SO <sub>2</sub> )	<b>40</b> µg/m <sup>3</sup> (24-hour mean) <sup>(1)</sup>
Benzene	<b>1,7</b> µg/m <sup>3</sup>
Carbon monoxide (CO)	4 mg/m <sup>3</sup> (24-hour mean) <sup>(1)</sup>
Lead (Pb)	<b>0,25</b> µg/m <sup>3</sup>
Arsenic (As)	<b>3,0</b> ng/m <sup>3</sup>
Cadmium (Cd)	2,5 ng/m <sup>3</sup>
Nickel (Ni)	<b>10</b> ng/m <sup>3</sup>
Benzo(a)pyrene	0,12 ng/m <sup>3</sup>
Ozone (O <sub>3</sub> )	<b>100</b> µg/m <sup>3</sup> (maximum 8-hour mean) <sup>(1)</sup>
(1) 99 <sup>th</sup> percentile (i.e. 3 exceedance days per year).	

*Amendment*

Pollutant	Assessment threshold (annual mean,
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	unless specified)
PM <sub>2.5</sub>	3,5 µg/m <sup>3</sup>
PM <sub>10</sub>	10,5 µg/m <sup>3</sup>
Nitrogen dioxide (NO <sub>2</sub> )	8 µg/m <sup>3</sup>
Sulphur dioxide (SO <sub>2</sub> )	24 µg/m <sup>3</sup> (24-hour mean) <sup>(1)</sup>
Benzene	0,12 µg/m <sup>3</sup>
Carbon monoxide (CO)	4 mg/m <sup>3</sup> (24-hour mean) <sup>(1)</sup>
Lead (Pb)	0,1 µg/m <sup>3</sup>
Arsenic (As)	0,46 ng/m <sup>3</sup>
Cadmium (Cd)	2,5 ng/m <sup>3</sup>
Nickel (Ni)	1,75 ng/m <sup>3</sup>
Benzo(a)pyrene	0,12 ng/m <sup>3</sup>
Ozone (O <sub>3</sub> )	77 µg/m <sup>3</sup> (maximum 8-hour mean) <sup>(1)</sup>
(1) 99 <sup>th</sup> percentile (i.e. 3 exceedance days per year).	

#### Amendment 304

##### Proposal for a directive Annex II – Section 1A (new) – title

*Text proposed by the Commission*

*Amendment*

**SECTION 1A – ASSESSMENT  
THRESHOLDS FOR THE LIMIT  
VALUES FOR THE PROTECTION OF  
HUMAN HEALTH TO BE ATTAINED  
BY 1 JANUARY 2030**

#### Amendment 305

##### Proposal for a directive Annex II – Section 1A (new) – table

*Text proposed by the Commission*

*Amendment*

<i>Pollutant</i>	<i>Assessment threshold (annual mean, unless specified)</i>
<i>PM<sub>2.5</sub></i>	<i>5 µg/m<sup>3</sup></i>
<i>PM<sub>10</sub></i>	<i>15 µg/m<sup>3</sup></i>
<i>Nitrogen dioxide (NO<sub>2</sub>)</i>	<i>10 µg/m<sup>3</sup></i>
<i>Sulphur dioxide (SO<sub>2</sub>)</i>	<i>40 µg/m<sup>3</sup> (24-hour mean)<sup>(1)</sup></i>
<i>Benzene</i>	<i>1,7 µg/m<sup>3</sup></i>
<i>Carbon monoxide (CO)</i>	<i>4 mg/m<sup>3</sup> (24-hour mean)<sup>(1)</sup></i>
<i>Lead (Pb)</i>	<i>0,25 µg/m<sup>3</sup></i>
<i>Arsenic (As)</i>	<i>3,0 ng/m<sup>3</sup></i>
<i>Cadmium (Cd)</i>	<i>2,5 ng/m<sup>3</sup></i>



<i>Nickel (Ni)</i>	<i>10 ng/m<sup>3</sup></i>
<i>Benzo(a)pyrene</i>	<i>0,12 ng/m<sup>3</sup></i>
<i>Ozone (O<sub>3</sub>)</i>	<i>100 µg/m<sup>3</sup> (maximum 8-hour mean)(1)</i>
<i>(1) 99<sup>th</sup> percentile (i.e. 3 exceedance days per year).</i>	

## Amendment 199

### Proposal for a directive

#### Annex III – Section A – point 1 – paragraph 1

*Text proposed by the Commission*

Table 1 - Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and alert thresholds in zones where fixed measurement is the sole source of information (for all pollutants except ozone)

*Amendment*

Table 1 - Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and **information and** alert thresholds in zones where fixed measurement is the sole source of information (for all pollutants except ozone)

## Amendment 200

### Proposal for a directive

#### Annex III – Section A – point 1 – table 1

*Text proposed by the Commission*

Population of zone (thousands)	Minimum number of sampling points if concentrations exceed the assessment threshold					
	NO <sub>2</sub> , SO <sub>2</sub> , CO, benzene	Sum PM (1)	Minimum PM <sub>10</sub>	Minimum PM <sub>2.5</sub>	Pb, Cd, As, Ni in PM <sub>10</sub>	Benzo(a)pyrene in PM <sub>10</sub>
0 - 249	2	4	2	2	1	1
250 - 499	2	4	2	2	1	1
500 - 749	2	4	2	2	1	1
750 - 999	3	4	2	2	2	2
1 000 - 1 499	4	6	2	2	2	2
1 500 - 1 999	5	7	3	3	2	2
2 000 - 2 749	6	8	3	3	2	3
2 750 - 3 749	7	10	4	4	2	3
3 750 - 4 749	8	11	4	4	3	4
4 750 - 5 999	9	13	5	5	4	5

6 000+	10	15	5	5	5	5
<b>(1) The number of PM<sub>2.5</sub> and NO<sub>2</sub> sampling points in the urban background locations of urban areas shall meet the requirements set out in Point B.</b>						

*Amendment*

Population of zone (thousands)	Minimum number of sampling points if concentrations exceed the assessment threshold					
	NO <sub>2</sub> , SO <sub>2</sub> , CO, benzene	Sum PM	Minimum PM <sub>10</sub>	Minimum PM <sub>2.5</sub>	Pb, Cd, As, Ni in PM <sub>10</sub>	Benzo(a)pyrene in PM <sub>10</sub>
0 - 249	2	4	2	2	1	1
250 - 499	2	4	2	2	1	1
500 - 749	2	4	2	2	1	1
750 - 999	3	4	2	2	2	2
1 000 - 1 499	4	6	2	2	2	2
1 500 - 1 999	5	7	3	3	2	2
2 000 - 2 749	6	8	3	3	2	3
2 750 - 3 749	7	10	4	4	2	3
3 750 - 4 749	8	11	4	4	3	4
4 750 - 5 999	9	13	5	5	4	5
6 000+	10	15	5	5	5	5

**Amendment 201**

**Proposal for a directive**

**Annex III – Section A – point 1 – table 2**

*Text proposed by the Commission*

Population (thousands)	Minimum number of sampling points if <i>the number of sampling points is reduced by up to 50%</i> <sup>(1)</sup>
< 250	1
< 500	2
< 1 000	2
< 1 500	3
< 2 000	4
< 2 750	5
< 3 750	6
≥ 3 750	1 additional sampling point per 2 million

	inhabitants
(1) At least 1 sampling point in areas where exposure of the population to the highest concentrations of ozone is likely to occur. In agglomerations, at least 50 % of the sampling points shall be located in suburban areas	

*Amendment*

Population (thousands)	Minimum number of sampling points if <i>concentrations exceed the assessment threshold</i> <sup>(1)</sup>
< 250	1
< 500	2
< 1 000	2
< 1 500	3
< 2 000	4
< 2 750	5
< 3 750	6
≥ 3 750	1 additional sampling point per 2 million inhabitants
(1) At least 1 sampling point in areas where exposure of the population to the highest concentrations of ozone is likely to occur. In agglomerations, at least 50 % of the sampling points shall be located in suburban areas	

**Amendment 202**

**Proposal for a directive**

**Annex III – Section A – point 1 – paragraph 3**

*Text proposed by the Commission*

Table 3 - Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and alert thresholds in zones where a 50% reduction of such measurements applies (for all pollutants except ozone)

*Amendment*

Table 3 - Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and **information and** alert thresholds in zones where a 50% reduction of such measurements applies (for all pollutants except ozone)

**Amendment 203**

**Proposal for a directive**

**Annex III – Section A – point 1 – table 3**

*Text proposed by the Commission*

Population of zone (thousands)	Minimum number of sampling points if the number of sampling points is reduced by up to 50%					
	NO <sub>2</sub> , SO <sub>2</sub> , CO,	Sum PM <sup>(1)</sup>	Minimum PM <sub>10</sub>	Minimum PM <sub>2.5</sub>	Pb, Cd, As, Ni in PM <sub>10</sub>	Benzo(a)pyrene in PM <sub>10</sub>

	benzene					
0 - 249	1	2	1	1	1	1
250 - 499	1	2	1	1	1	1
500 - 749	1	2	1	1	1	1
750 - 999	2	2	1	1	1	1
1 000 - 1 499	2	3	1	1	1	1
1 500 - 1 999	3	4	2	2	1	1
2 000 - 2 749	3	4	2	2	1	2
2 750 - 3 749	4	5	2	2	1	2
3 750 - 4 749	4	6	2	2	2	2
4 750 - 5 999	5	7	3	3	2	3
6 000+	5	8	3	3	3	3
<b>(1) The number of PM<sub>2.5</sub> and NO<sub>2</sub> sampling points in the urban background locations of urban areas shall meet the requirements set out in point B.</b>						

*Amendment*

Population of zone (thousands)	Minimum number of sampling points if the number of sampling points is reduced by up to 50%					
	NO <sub>2</sub> , SO <sub>2</sub> , CO, benzene	Sum PM	Minimum PM <sub>10</sub>	Minimum PM <sub>2.5</sub>	Pb, Cd, As, Ni in PM <sub>10</sub>	Benzo(a)pyrene in PM <sub>10</sub>
0 - 249	1	2	1	1	1	1
250 - 499	1	2	1	1	1	1
500 - 749	1	2	1	1	1	1
750 - 999	2	2	1	1	1	1
1 000 - 1 499	2	3	1	1	1	1
1 500 - 1 999	3	4	2	2	1	1
2 000 - 2 749	3	4	2	2	1	2
2 750 - 3 749	4	5	2	2	1	2
3 750 - 4 749	4	6	2	2	2	2
4 750 - 5 999	5	7	3	3	2	3
6 000+	5	8	3	3	3	3

**Amendment 204**

**Proposal for a directive  
Annex III – Section A – point 1 – paragraph 5**

*Text proposed by the Commission*

For each zone, the minimum number of sampling points for fixed measurements set out in the tables in this point shall include at least 1 background location sampling point and 1 sampling point in ***the area with the highest concentrations*** according to

*Amendment*

For each zone, the minimum number of sampling points for fixed measurements set out in the tables in this point shall include at least 1 background location sampling point and 1 sampling point in ***air pollution hotspots*** according to Point B, of Annex

Point B, of Annex IV ***provided this does not increase the number of sampling points***. For nitrogen dioxide, particulate matter, benzene and carbon monoxide, this shall include at least 1 sampling point focused on measuring contribution from transport emissions. However, in the cases where there is only 1 sampling point required, this shall be in the area with the highest concentrations to which the population is likely to be directly or indirectly exposed.

IV. For nitrogen dioxide, particulate matter, benzene, ***sulphur dioxide*** and carbon monoxide, this shall include at least 1 sampling point focused on measuring contribution from transport emissions. However, in the cases where there is only 1 sampling point required, this shall be in the area with the highest concentrations to which the population is likely to be directly or indirectly exposed.

## **Amendment 205**

### **Proposal for a directive Annex III – Section A – point 1 – paragraph 6**

#### *Text proposed by the Commission*

For each zone, for nitrogen dioxide, particulate matter, benzene and carbon monoxide, the total number of urban background location sampling points and the total number of sampling points ***where the highest concentrations occur*** required shall not differ by more than a factor of 2. The number of PM<sub>2.5</sub> and nitrogen dioxide sampling points at urban background locations shall meet the requirements set out in Point B.

#### *Amendment*

For each zone, for nitrogen dioxide, particulate matter, benzene and carbon monoxide, the total number of urban background location sampling points and the total number of sampling points ***in air pollution hotspots*** required shall not differ by more than a factor of 2. The number of PM<sub>2.5</sub> and nitrogen dioxide sampling points at urban background locations ***and air pollution hotspots*** shall meet the requirements set out in Point B.

## **Amendment 206**

### **Proposal for a directive Annex III – Section B**

#### *Text proposed by the Commission*

***B Minimum number of sampling points for fixed measurement to assess compliance with the PM<sub>2.5</sub> and NO<sub>2</sub> average exposure reduction obligations for the protection of human health***  
***For PM<sub>2.5</sub> and NO<sub>2</sub> each, one sampling point per NUTS 1 region as described in***

#### *Amendment*

***deleted***

***Regulation (EC) No 1059/2003, and at least 1 sampling point per million inhabitants calculated over urban areas in excess of 100 000 inhabitants shall be operated for this purpose. Those sampling points may coincide with sampling points under Point A.***

#### **Amendment 207**

##### **Proposal for a directive Annex III – Section D – title**

*Text proposed by the Commission*

D Minimum number of sampling points for fixed measurements of ultrafine particles where high concentrations

*Amendment*

D Minimum number of sampling points for fixed measurements of ultrafine particles, ***black carbon, mercury and ammonia*** where high concentrations ***are likely to occur***

#### **Amendment 208**

##### **Proposal for a directive Annex III – Section D – paragraph 1**

*Text proposed by the Commission*

Ultrafine ***particles*** shall be monitored at selected locations in addition to other air pollutants. ***Sampling points to monitor ultrafine particles shall coincide, where appropriate, with*** sampling points for particulate matter or nitrogen dioxide referred to in Point A, ***and*** be sited in accordance with Section 3 of Annex VII. For this purpose, at least ***1*** sampling point per ***5*** million inhabitants shall be established at a location where high UFP concentrations are likely to occur. Member States that have fewer than ***5*** million inhabitants shall establish at least ***1*** fixed sampling point at a location where high UFP concentrations are likely to occur.

*Amendment*

Ultrafine ***particle number concentrations and BC*** shall be monitored at selected locations in addition to other air pollutants ***at those same locations as*** sampling points for particulate matter or nitrogen dioxide referred to in Point A ***of this Annex, and be sited in accordance with Section 3 of Annex VII. Sampling points to monitor ammonia shall coincide, where appropriate, with sampling points for particulate matter referred to in Point A of this Annex, and be sited in accordance with Section 3 of Annex VII. Sampling points to monitor mercury shall*** be sited in accordance with Section 3 of Annex VII. For this purpose, at least ***one*** sampling point per ***1*** million inhabitants shall be established at a location where high UFP concentrations are likely to occur, ***at least one sampling point per 1 million***

*inhabitants shall be established at a location where high BC concentrations are likely to occur, at least one sampling point per 1 million inhabitants shall be established at a location where high mercury concentrations are likely to occur, and at least one sampling point per 1 million inhabitants shall be established at a location where high NH<sub>3</sub> concentrations are likely to occur.*

Member States that have fewer than 1 million inhabitants shall establish at least *one* fixed sampling point at a location where high UFP concentrations are likely to occur, *one sampling point at a location where high BC concentrations are likely to occur, one sampling point at a location where high NH<sub>3</sub> concentrations are likely to occur, and one sampling point at a location where high mercury concentrations are likely to occur.*

## Amendment 209

### Proposal for a directive Annex III – Section D – paragraph 2

*Text proposed by the Commission*

Monitoring supersites at urban background or rural background locations established in accordance with Article 10 shall not be included for the purpose of meeting the requirements on the minimum number of sampling points for UFP set here.

*Amendment*

Monitoring supersites at urban background or rural background locations established in accordance with Article 10 shall not be included for the purpose of meeting the requirements on the minimum number of sampling points for UFP, **BC and NH<sub>3</sub>** set here.

## Amendment 210

### Proposal for a directive Annex IV – Section A – paragraph 1 – point 2 – point c

*Text proposed by the Commission*

(c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access

*Amendment*

(c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access to the central reservation **or where cycling**

to the central reservation.

*lanes are present.*

#### **Amendment 211**

##### **Proposal for a directive**

##### **Annex IV – Section B – point 2 – point a – introductory part**

*Text proposed by the Commission*

*Amendment*

(a) Sampling points directed at the protection of human health shall be sited in such a way as to provide data on all of the following:

(a) Sampling points directed at the protection of human health shall be sited in such a way as to provide **reliable** data on all of the following:

#### **Amendment 212**

##### **Proposal for a directive**

##### **Annex IV – Section B – point 2 – point a – point i**

*Text proposed by the Commission*

*Amendment*

(i) concentration levels in the areas within zones with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s),

(i) concentration levels in the areas within zones with the highest concentrations to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s), ***including in the vicinity of all air pollution hotspots,***

#### **Amendment 213**

##### **Proposal for a directive**

##### **Annex IV – Section B – point 2 – point a – point ii**

*Text proposed by the Commission*

*Amendment*

(ii) concentration levels in other areas within the zones which are representative of the exposure of the general population, and

(ii) concentration levels in other areas within the zones which are representative of the exposure of the general population, ***both in urban and rural background locations,*** and

#### **Amendment 214**

##### **Proposal for a directive**

##### **Annex IV – Section B – point 2 – point b a (new)**



*Text proposed by the Commission*

*Amendment*

***(ba) locations intended to be representative of urban traffic shall be located in such a way as to provide data on the streets where the highest concentrations occur, taking into consideration traffic volume (at least 10 000 vehicles per day or representing the largest traffic density in the zone), local dispersion conditions and spatial land use (for example in street canyons);***

**Amendment 215**  
**Proposal for a directive**  
**Annex IV – Section B – point 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) urban background locations shall be located so that their pollution level is influenced by the integrated contribution from all sources upwind of the sampling point. The pollution level shall not be dominated by a single source unless such a situation is typical for a larger urban area. Those sampling points shall, as a general rule, be representative for several square kilometres;

(c) urban background locations shall be located so that their pollution level is influenced by the integrated contribution from all sources upwind of the sampling point, ***following the main wind direction***. The pollution level shall not be dominated by a single source unless such a situation is typical for a larger urban area. Those sampling points shall, as a general rule, be representative for several square kilometres;

**Amendment 216**  
**Proposal for a directive**  
**Annex IV – Section B – point 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) air pollution hotspots shall be covered by a sufficient number of sampling points installed within the main wind direction of the source where there is a near residential area or an area where the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit or target value or values, including but not limited to schools, hospitals, assisted living***

*facilities and office areas;*

**Amendment 217**  
**Proposal for a directive**  
**Annex IV – Section B – point 2 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(cb) where the objective is to measure concentration levels in areas referred to in points (a)(i) and (a)(ii), sampling points shall be sited close to locations frequented by sensitive population and vulnerable groups and at-risk communities, such as schools, playgrounds, hospitals and homes for the elderly;***

**Amendment 218**  
**Proposal for a directive**  
**Annex IV – Section B – point 2 – point d**

*Text proposed by the Commission*

*Amendment*

(d) where the objective is to measure the contribution of ***domestic*** heating, at least one sampling point shall be installed within the main wind direction of these sources;

(d) where the objective is to measure the contribution of heating, at least one sampling point shall be installed within the main wind direction of these sources;  
***sampling points shall be sited in such a way that the air sampled is representative of air quality for an area of at least 250 m × 250 m;***

**Amendment 219**  
**Proposal for a directive**  
**Annex IV – Section B – point 2 – point e**

*Text proposed by the Commission*

*Amendment*

(e) ***where the objective is to assess rural background levels, the sampling point shall not be influenced by urban areas or industrial sites in its vicinity, i.e. sites closer than 5 km;***

(e) ***sampling points in rural background locations shall be located so that they are not influenced by urban areas and so that their pollution level is influenced by the integrated contribution from all relevant sources;***

**Amendment 220**  
**Proposal for a directive**  
**Annex IV – Section B – point 2 – point f**

*Text proposed by the Commission*

(f) where contributions from industrial sources, ports *or* airports are to be assessed, at least ***I*** sampling point shall be installed downwind of the source in the nearest residential area. Where the background concentration is not known, an additional sampling point shall be situated within the main wind direction. The sampling points shall be sited such that the application of BAT can be monitored;

*Amendment*

(f) where contributions from industrial sources, ports ***and*** airports are to be assessed, at least ***one*** sampling point shall be installed downwind ***following the main wind direction*** of the source in the nearest residential area. Where the background concentration is not known, an additional sampling point shall be situated within the main wind direction. The sampling points shall be sited such that the application of BAT can be monitored;

**Amendment 221**  
**Proposal for a directive**  
**Annex IV – Section B – point 2 – point i**

*Text proposed by the Commission*

(i) sampling points measuring arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons shall, ***where possible***, be co-located with sampling points for PM<sub>10</sub>.

*Amendment*

(i) sampling points measuring arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons shall be co-located with sampling points for PM<sub>10</sub>.

**Amendment 222**  
**Proposal for a directive**  
**Annex IV – Section B – point 4 – table**  
*Text proposed by the Commission*

Type of sampling point	Objectives of measurement	Representativeness (1)	Macro-scale siting criteria
Urban background locations for ozone assessments	Protection of human health: to assess the exposure of the urban population to ozone, i.e. where population density and ozone concentration are relatively high and representative of the exposure of the	1 to 10 km <sup>2</sup>	Away from the influence of local emissions such as traffic, petrol stations, etc.; vented locations where well mixed levels can be measured; locations such as residential and commercial areas of

	general population		cities, parks (away from trees), wide streets or squares with very little or no traffic, open areas characteristic of educational, sports or recreation facilities.
Suburban locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of the population and vegetation located in the outskirts of the urban area, with the highest ozone levels to which the population and vegetation are likely to be directly or indirectly exposed.	10 to 100 km <sup>2</sup>	At a certain distance from the area of maximum emissions, downwind following the main wind direction/directions during conditions favourable to ozone formation; where population, sensitive crops or natural ecosystems located in the outer fringe of an urban area are exposed to high ozone levels; where appropriate, some suburban sampling points also upwind of the area of maximum emissions, in order to determine the regional background levels of ozone.
Rural locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of population, crops and natural ecosystems to sub-regional scale ozone concentrations.	Sub-regional levels (100 to 1 000 km <sup>2</sup> )	Sampling points may be located in small settlements and/or areas with natural ecosystems, forests or crops; representative for ozone away from the influence of immediate local emissions such as industrial sites and roads; at open area sites, but not on summits of higher mountains

Rural background locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of crops and natural ecosystems to regional-scale ozone concentrations as well as exposure of the population.	Regional/national/continental levels (1 000 to 10 000 km <sup>2</sup> )	Sampling points located in areas with lower population density, e.g. with natural ecosystems, forests, at a distance of at least 20 km from urban and industrial areas and away from local emissions; avoid locations which are subject to locally enhanced formation of ground-near inversion conditions, also summits of higher mountains; coastal sites with pronounced diurnal wind cycles of local character are not recommended.
(1) Sampling points shall, where possible, be representative of similar locations not in the immediate vicinity of the sampling points.			

*Amendment*

Type of sampling point	Objectives of measurement	Representativeness (1)	Macro-scale siting criteria
Urban background locations for ozone assessments	Protection of human health: to assess the exposure of the urban population to ozone, i.e. where population density and ozone concentration are relatively high and representative of the exposure of the general population	1 to 10 km <sup>2</sup>	Away from the influence of local emissions such as traffic, petrol stations, etc.; vented locations where well mixed levels can be measured; <b><i>locations frequented by sensitive population and vulnerable groups, such as schools, playgrounds, hospitals and homes for elderly;</i></b> locations such as residential and commercial areas of cities, parks (away from trees), wide streets or squares with

			very little or no traffic, open areas characteristic of educational, sports or recreation facilities.
Suburban locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of the population and vegetation located in the outskirts of the urban area, with the highest ozone levels to which the population and vegetation are likely to be directly or indirectly exposed.	10 to 100 km <sup>2</sup>	At a certain distance from the area of maximum emissions, downwind following the main wind direction/directions during conditions favourable to ozone formation; <b><i>locations frequented by sensitive population and vulnerable groups, such as schools, playgrounds, hospitals and homes for elderly;</i></b> where population, sensitive crops or natural ecosystems located in the outer fringe of an urban area are exposed to high ozone levels; where appropriate, some suburban sampling points also upwind of the area of maximum emissions, in order to determine the regional background levels of ozone.
Rural locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of population, crops and natural ecosystems to sub-regional scale ozone concentrations.	Sub-regional levels (100 to 1 000 km <sup>2</sup> )	Sampling points may be located in small settlements and/or areas with natural ecosystems, forests or crops; <b><i>locations frequented by sensitive population and vulnerable groups, such as schools, playgrounds, hospitals and homes</i></b>

			<i>for elderly;</i> representative for ozone away from the influence of immediate local emissions such as industrial sites and roads; at open area sites, but not on summits of higher mountains
Rural background locations for ozone assessments	Protection of human health and vegetation: to assess the exposure of crops and natural ecosystems to regional-scale ozone concentrations as well as exposure of the population.	Regional/national/continental levels (1 000 to 10 000 km <sup>2</sup> )	Sampling points located in areas with lower population density, e.g. with natural ecosystems, forests, at a distance of at least 20 km from urban and industrial areas and away from local emissions; avoid locations which are subject to locally enhanced formation of ground-near inversion conditions, also summits of higher mountains; coastal sites with pronounced diurnal wind cycles of local character are not recommended.
(1) Sampling points shall, where possible, be representative of similar locations not in the immediate vicinity of the sampling points.			

**Amendment 223**

**Proposal for a directive**

**Annex IV – Section C – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

*In so far as is practicable*, the following shall apply:

The following shall apply:

**Amendment 224**

**Proposal for a directive**

**Annex IV – Section C – paragraph 1 – point b**

*Text proposed by the Commission*

(b) in general, the sampling point inlet shall be between 0,5 m (the breathing zone) and **4 m** above the ground. Higher siting (up to **8m**) may be appropriate if the sampling point is representative of a large area (a background location) **or in other specific circumstances and any derogations** shall be fully documented;

**Amendment 225**

**Proposal for a directive**

**Annex IV – Section C – paragraph 1 – point e**

*Text proposed by the Commission*

(e) for all pollutants, sampling probes shall be **at least** 25 m from the edge of major junctions **and no more than 10 m from the kerbside**; for the purposes of this point, a ‘kerbside’ means the line that separates motorised traffic from other areas; a ‘major junction’ means a junction which interrupts the traffic flow and causes different emissions (stop&go) from the rest of the road;

**Amendment 226**

**Proposal for a directive**

**Annex IV – Section C – paragraph 1 – point f**

*Text proposed by the Commission*

(f) for the deposition measurements in rural background locations, the guidelines and criteria of EMEP shall apply **as far as practicable**;

*Amendment*

(b) in general, the sampling point inlet shall be between 0,5 m (the breathing zone) and **3 m** above the ground. Higher siting (up to **6 m**) may be appropriate if the sampling point is representative of a large area (a background location). **The decision to apply such higher siting** shall be fully documented;

*Amendment*

(e) for all pollutants, sampling probes shall be **positioned no more than 5 m from the kerbside; consideration shall be given to whether locating the sampling point at less than 25 m from the edge of major junctions would result in over- or under-estimating concentrations and lead to measuring a very small micro-environment that is not representative of levels along that road segment**; for the purposes of this point, a ‘kerbside’ means the line that separates motorised traffic from other areas; a ‘major junction’ means a junction which interrupts the traffic flow and causes different emissions (stop&go) from the rest of the road;

*Amendment*

(f) for the deposition measurements in rural background locations, the guidelines and criteria of EMEP shall apply;



**Amendment 227**  
**Proposal for a directive**  
**Annex IV – Section D – point 1**

*Text proposed by the Commission*

1. The competent authorities responsible for air quality assessment shall for all zones fully document the site-selection procedures **and** record information to support the network design and choice of location for all monitoring sites. The design of the monitoring network shall be supported at least by either modelling or indicative measurements.

*Amendment*

1. The competent authorities responsible for air quality assessment shall **provide a data-based assessment** for all zones, fully document the site-selection procedures, record information to support the network design and choice of location for all monitoring sites **and provide justifications**. The design of the monitoring network shall be supported at least by either modelling **with a sufficiently low level of uncertainty** or indicative measurements.

**Amendment 228**  
**Proposal for a directive**  
**Annex IV – Section D – point 2**

*Text proposed by the Commission*

2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps and shall include information on the spatial representativeness of all sampling points.

*Amendment*

2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps and **photos, and** shall include information on the spatial representativeness of all sampling points.

**Amendment 229**  
**Proposal for a directive**  
**Annex IV – Section D – point 3**

*Text proposed by the Commission*

3. The documentations shall include any deviation from the micro-scale siting criteria, their underlying reasons and the likely impact on measured levels.

*Amendment*

3. The documentations shall include **evidence explaining the reasons for the network design and proof of compliance with the requirements referred to in Points B and C, in particular:**  
**(a) the reasons for the selection of locations representative of the highest levels of pollution in the zone or agglomeration for each pollutant;**

***(b) the reasons for the selection of locations representative of the general exposure of population; and***

***(c) any deviation from the micro-scale siting criteria, their underlying reasons and the likely impact on measured levels.***

**Amendment 230**  
**Proposal for a directive**  
**Annex IV – Section D – point 4**

*Text proposed by the Commission*

4. Where indicative measurements, modelling ***or objective estimation***, or a combination thereof are used within a zone, the documentation shall include details of these methods and information on how the criteria listed in Article 9(3) are met.

*Amendment*

4. Where indicative measurements ***or*** modelling, or a combination thereof are used within a zone, the documentation shall include details of these methods and information on how the criteria listed in Article 9(3) are met.

**Amendment 231**  
**Proposal for a directive**  
**Annex IV – Section D – point 5**

*Text proposed by the Commission*

5. Where indicative measurements, modelling ***or objective estimation*** are used, competent authorities shall use gridded data reported under Directive (EU) 2016/2284 and emission information reported under Directive 2010/75/EU.

*Amendment*

5. Where indicative measurements ***or*** modelling are used, competent authorities shall use gridded data reported under Directive (EU) 2016/2284 and emission information reported under Directive 2010/75/EU.

**Amendment 232**  
**Proposal for a directive**  
**Annex IV – Section D – point 9**

*Text proposed by the Commission*

9. At least every 5 years the selection criteria, network design and monitoring

*Amendment*

9. At least every 5 years the selection criteria, network design and monitoring

site locations, defined by the competent authorities in view of the requirements of this Annex, shall be reviewed to ensure they remain valid and optimal overtime. The review shall be supported at least by either modelling or indicative measurements.

site locations, defined by the competent authorities in view of the requirements of this Annex, shall be reviewed to ensure they remain valid and optimal overtime. The review shall be supported at least by either modelling or indicative measurements ***and shall identify measures to be taken within a timeframe in accordance with the guidelines to ensure that the network design remains valid and optimal. Where such a review reveals that the network design and monitoring site locations are no longer valid (for example, there is no fixed monitoring station in the area of modelled maximum levels), the competent authority shall correct and update the network design within one year.***

**Amendment 233**  
**Proposal for a directive**  
**Annex IV – Section D – point 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***10a. The competent authorities responsible for air quality assessment shall perform and document regular checks and maintenance of the ambient air quality monitoring stations to ensure that they continue to operate and to ensure the accuracy of measurements and reliability of instrumentation.***

**Amendment 306**  
**Proposal for a directive**  
**Annex V – Section A – title**

*Text proposed by the Commission*

*Amendment*

A. Uncertainty of measurements and modelling for ambient air quality assessment

A. Uncertainty of measurements and modelling for ambient air quality assessment ***(for air quality standards to be attained by 1 January 2035)***

## Amendment 234

### Proposal for a directive

#### Annex V – Section A – point 1 – table

*Text proposed by the Commission*

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements (1)		Maximum ratio of uncertainty of modelling <i>and objective estimation</i> over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	
PM <sub>2.5</sub>	<b>3,0</b> µg/ m <sup>3</sup>	<b>30</b> %	<b>4,0</b> µg/m <sup>3</sup>	40 %	1,7
PM <sub>10</sub>	<b>4,0</b> µg/ m <sup>3</sup>	20 %	<b>6,0</b> µg/m <sup>3</sup>	30 %	1,3
NO <sub>2</sub> / NO <sub>x</sub>	<b>6,0</b> µg/ m <sup>3</sup>	<b>30</b> %	<b>8,0</b> µg/m <sup>3</sup>	<b>40</b> %	1,4
Benzene	<b>0,75</b> µg/ m <sup>3</sup>	25 %	<b>1,2</b> µg/m <sup>3</sup>	<b>35</b> %	1,7
Lead	<b>0,125</b> µg/ m <sup>3</sup>	25 %	<b>0,175</b> µg/m <sup>3</sup>	<b>35</b> %	1,7
Arsenic	<b>2,4</b> ng/ m <sup>3</sup>	40 %	<b>3,0</b> ng/m <sup>3</sup>	50 %	1,1
Cadmium	2,0 ng/ m <sup>3</sup>	40 %	2,5 ng/m <sup>3</sup>	50 %	1,1
Nickel	<b>8,0</b> ng/ m <sup>3</sup>	40 %	<b>10,0</b> ng/m <sup>3</sup>	50 %	1,1
Benzo(a)pyrene	<b>0,5</b> ng m <sup>3</sup>	50 %	<b>0,6</b> ng/m <sup>3</sup>	60 %	1,1

(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications

### *Amendment*

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements (1)		Maximum ratio of uncertainty of modelling over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	
PM <sub>2.5</sub>	<b>1,25</b> µg m <sup>3</sup>	<b>25</b> %	<b>2,0</b> µg/ m <sup>3</sup>	40 %	1,7
PM <sub>10</sub>	<b>3,0</b> µg/ m <sup>3</sup>	20 %	<b>4,5</b> µg/ m <sup>3</sup>	30 %	1,3
NO <sub>2</sub> / NO <sub>x</sub>	<b>1,5</b> µg/ m <sup>3</sup>	<b>15</b> %	<b>2,5</b> µg/ m <sup>3</sup>	<b>25</b> %	1,4
Benzene	<b>0,0425</b> µg m <sup>3</sup>	25 %	<b>0,05</b> µg/ m <sup>3</sup>	<b>30</b> %	1,7
Lead	<b>0,0375</b> µg/ m <sup>3</sup>	25 %	<b>0,045</b> µg/ m <sup>3</sup>	<b>30</b> %	1,7
Arsenic	<b>0,26</b> ng/ m <sup>3</sup>	40 %	<b>0,33</b> ng/ m <sup>3</sup>	50 %	1,1
Cadmium	2,0 ng/ m <sup>3</sup>	40 %	2,5 ng/ m <sup>3</sup>	50 %	1,1

Nickel	<b>1,0</b> ng/ m <sup>3</sup>	40 %	<b>1,25</b> ng/ m <sup>3</sup>	50 %	1,1
Benzo(a)pyrene	<b>0,125</b> ng m <sup>3</sup>	50 %	<b>0,15</b> ng/ m <sup>3</sup>	60 %	1,1
(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications.					

## Amendment 235

### Proposal for a directive

#### Annex V – Section A – point 2 – table

*Text proposed by the Commission*

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements (1)		Maximum ratio of uncertainty of modelling <b>and objective estimation</b> over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	
PM <sub>2.5</sub> (24-hour)	<b>6,3</b> µg/m <sup>3</sup>	25 %	<b>8,8</b> µg/m <sup>3</sup>	35 %	2,5
PM <sub>10</sub> (24-hour)	<b>11,3</b> µg/m <sup>3</sup>	25 %	22,5 µg/m <sup>3</sup>	50 %	2,2
NO <sub>2</sub> (daily)	<b>7,5</b> µg/m <sup>3</sup>	15 %	<b>12,5</b> µg/m <sup>3</sup>	25 %	3,2
NO <sub>2</sub> (hourly)	30 µg/m <sup>3</sup>	15 %	50 µg/m <sup>3</sup>	25 %	3,2
SO <sub>2</sub> (daily)	<b>7,5</b> µg/m <sup>3</sup>	15 %	<b>12,5</b> µg/m <sup>3</sup>	25 %	3,2
SO <sub>2</sub> (hourly)	<b>52,5</b> µg/m <sup>3</sup>	15 %	<b>87,5</b> µg/m <sup>3</sup>	25 %	3,2
CO (24-hour)	0,6 mg/m <sup>3</sup>	15 %	1,0 mg/m <sup>3</sup>	25 %	3,2
CO (8-hour)	1,0 mg/m <sup>3</sup>	10 %	2,0 mg/m <sup>3</sup>	20 %	4,9
Ozone (peak season): uncertainty of the 8h values	<b>10,5</b> µg/m <sup>3</sup>	15 %	<b>17,5</b> µg/m <sup>3</sup>	25 %	1,7
Ozone (8h mean)	<b>18</b> µg/m <sup>3</sup>	15 %	<b>30</b> µg/m <sup>3</sup>	25 %	2,2
(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications.					

### Amendment

Air pollutant	Maximum uncertainty of fixed measurements	Maximum uncertainty of indicative measurements (1)	Maximum uncertainty of modelling
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					over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	Maximum ratio
PM <sub>2.5</sub> (24-hour)	3,75 µg/m <sup>3</sup>	25 %	5,25 µg/m <sup>3</sup>	35 %	2,5
PM <sub>10</sub> (24-hour)	11,25 µg/m <sup>3</sup>	25 %	22,5 µg/m <sup>3</sup>	50 %	2,2
NO <sub>2</sub> (daily)	3,75 µg/m <sup>3</sup>	15 %	6,25 µg/m <sup>3</sup>	25 %	3,2
NO <sub>2</sub> (hourly)	30 µg/m <sup>3</sup>	15 %	50 µg/m <sup>3</sup>	25 %	3,2
SO <sub>2</sub> (daily)	6,0 µg/m <sup>3</sup>	15 %	10,0 µg/m <sup>3</sup>	25 %	3,2
SO <sub>2</sub> (hourly)	30,0 µg/m <sup>3</sup>	15 %	50,0 µg/m <sup>3</sup>	25 %	3,2
CO (24-hour)	0,6 mg/m <sup>3</sup>	15 %	1,0 mg/m <sup>3</sup>	25 %	3,2
CO (8-hour)	1,0 mg/m <sup>3</sup>	10 %	2,0 mg/m <sup>3</sup>	20 %	4,9
Ozone (peak season): uncertainty of the 8h values	9,0 µg/m <sup>3</sup>	15 %	15,0 µg/m <sup>3</sup>	25 %	1,7
Ozone (8h mean)	16,5 µg/m <sup>3</sup>	15 %	27,5 µg/m <sup>3</sup>	25 %	2,2

(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications.

## Amendment 236

### Proposal for a directive

#### Annex V – Section A – point 2 – paragraph 3

##### *Text proposed by the Commission*

The percentages for uncertainty in the tables in this Section apply for all limit values (and the ozone target value) that are calculated by simple averaging of individual measurements such as hourly mean, daily mean or yearly mean values without considering the additional uncertainty for the calculation of the number of exceedances. The uncertainty shall be interpreted as being applicable in the region of the appropriate limit values (or ozone target value). The uncertainty calculation does not apply to AOT40 and values that include more than 1 year, more than 1 station (e.g. AEI) or more than 1 component. They are also not applicable for information thresholds, alert thresholds and critical levels for the protection of

##### *Amendment*

The percentages for uncertainty in the tables in this Section apply for all limit values (and the ozone target value) that are calculated by simple averaging of individual measurements such as hourly mean, daily mean or yearly mean values without considering the additional uncertainty for the calculation of the number of exceedances. ***Levels below 5 for PM<sub>2.5</sub> and 10 for NO<sub>2</sub> shall be allowed to have percentages for uncertainty of 30 %.*** The uncertainty shall be interpreted as being applicable in the region of the appropriate limit values (or ozone target value). The uncertainty calculation does not apply to AOT40 and values that include more than 1 year, more than 1 station (e.g. AEI) or more than 1

vegetation and natural ecosystems.

component. They are also not applicable for information thresholds, alert thresholds and critical levels for the protection of vegetation and natural ecosystems.

#### **Amendment 237**

##### **Proposal for a directive Annex V – Section A – point 2 – paragraph 9**

*Text proposed by the Commission*

Where an air quality model is used for assessment, references to descriptions of the model and information on the calculation of the modelling quality objective shall be compiled.

*Amendment*

Where an air quality model is used for assessment, references to descriptions of the model, ***including the spatial resolution of the model itself and source-specific input data*** and information on the calculation of the modelling quality objective shall be compiled.

#### **Amendment 238**

##### **Proposal for a directive Annex V – Section A – point 2 – paragraph 10**

*Text proposed by the Commission*

***The uncertainty of objective estimation shall not exceed the uncertainty for indicative measurements by more than the applicable maximum ratio and shall not exceed 85%. The uncertainty for objective estimation is defined as the maximum deviation of the measured and calculated concentration levels, over the period considered, by the limit value (or ozone target value), without taking into account the timing of the events.***

*Amendment*

***deleted***

#### **Amendment 307**

##### **Proposal for a directive Annex V – Section AA (new) – title**

*Text proposed by the Commission*

*Amendment*

***AA. Uncertainty of measurements and***

*modelling for ambient air quality  
assessment (for air quality standards to be  
attained by 1 January 2030)*

**Amendment 308**

**Proposal for a directive  
Annex V – Section AA (new) – point 1 – table**

*Text proposed by the Commission*

*Amendment*

<i>Air pollutant</i>	<i>Maximum uncertainty of fixed measurements</i>		<i>Maximum uncertainty of indicative measurements (1)</i>		<i>Maximum ratio of uncertainty of modelling over uncertainty of fixed measurements</i>
	<i>Absolute value</i>	<i>Relative value</i>	<i>Absolute value</i>	<i>Relative value</i>	
<i>PM<sub>2.5</sub></i>	<i>3,0 µg/ m<sup>3</sup></i>	<i>30 %</i>	<i>4,0 µg/m<sup>3</sup></i>	<i>40 %</i>	<i>1,7</i>
<i>PM<sub>10</sub></i>	<i>4,0 µg/ m<sup>3</sup></i>	<i>20 %</i>	<i>6,0 µg/m<sup>3</sup></i>	<i>30 %</i>	<i>1,3</i>
<i>NO<sub>2</sub>/ NO<sub>x</sub></i>	<i>6,0 µg/ m<sup>3</sup></i>	<i>30 %</i>	<i>8,0 µg/m<sup>3</sup></i>	<i>40 %</i>	<i>1,4</i>
<i>Benzene</i>	<i>0,75 µg/ m<sup>3</sup></i>	<i>25 %</i>	<i>1,2 µg/m<sup>3</sup></i>	<i>35 %</i>	<i>1,7</i>
<i>Lead</i>	<i>0,125 µg/ m<sup>3</sup></i>	<i>25 %</i>	<i>0,175 µg/m<sup>3</sup></i>	<i>35 %</i>	<i>1,7</i>
<i>Arsenic</i>	<i>2,4 ng/ m<sup>3</sup></i>	<i>40 %</i>	<i>3,0 ng/m<sup>3</sup></i>	<i>50 %</i>	<i>1,1</i>
<i>Cadmium</i>	<i>2,0 ng/ m<sup>3</sup></i>	<i>40 %</i>	<i>2,5 ng/m<sup>3</sup></i>	<i>50 %</i>	<i>1,1</i>
<i>Nickel</i>	<i>8,0 ng/ m<sup>3</sup></i>	<i>40 %</i>	<i>10,0 ng/m<sup>3</sup></i>	<i>50 %</i>	<i>1,1</i>
<i>Benzo(a)pyrene</i>	<i>0,5 ng m<sup>3</sup></i>	<i>50 %</i>	<i>0,6 ng/m<sup>3</sup></i>	<i>60 %</i>	<i>1,1</i>

*(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications*

**Amendment 309**

**Proposal for a directive  
Annex V – Section AA (new) – point 2 – table**

*Text proposed by the Commission*

*Amendment*



<i>Air pollutant</i>	<i>Maximum uncertainty of fixed measurements</i>		<i>Maximum uncertainty of indicative measurements (1)</i>		<i>Maximum ratio of uncertainty of modelling over uncertainty of fixed measurements</i>
	<i>Absolute value</i>	<i>Relative value</i>	<i>Absolute value</i>	<i>Relative value</i>	
<i>PM<sub>2.5</sub> (24-hour)</i>	<i>6,3 µg/m<sup>3</sup></i>	<i>25 %</i>	<i>8,8 µg/m<sup>3</sup></i>	<i>35 %</i>	<i>2,5</i>
<i>PM<sub>10</sub> (24-hour)</i>	<i>11,3 µg/m<sup>3</sup></i>	<i>25 %</i>	<i>22,5 µg/m<sup>3</sup></i>	<i>50 %</i>	<i>2,2</i>
<i>NO<sub>2</sub> (daily)</i>	<i>7,5 µg/m<sup>3</sup></i>	<i>15 %</i>	<i>12,5 µg/m<sup>3</sup></i>	<i>25 %</i>	<i>3,2</i>
<i>NO<sub>2</sub> (hourly)</i>	<i>30 µg/m<sup>3</sup></i>	<i>15 %</i>	<i>50 µg/m<sup>3</sup></i>	<i>25 %</i>	<i>3,2</i>
<i>SO<sub>2</sub> (daily)</i>	<i>7,5 µg/m<sup>3</sup></i>	<i>15 %</i>	<i>12,5 µg/m<sup>3</sup></i>	<i>25 %</i>	<i>3,2</i>
<i>SO<sub>2</sub> (hourly)</i>	<i>52,5 µg/m<sup>3</sup></i>	<i>15 %</i>	<i>87,5 µg/m<sup>3</sup></i>	<i>25 %</i>	<i>3,2</i>
<i>CO (24-hour)</i>	<i>0,6 mg/m<sup>3</sup></i>	<i>15 %</i>	<i>1,0 mg/m<sup>3</sup></i>	<i>25 %</i>	<i>3,2</i>
<i>CO (8-hour)</i>	<i>1,0 mg/m<sup>3</sup></i>	<i>10 %</i>	<i>2,0 mg/m<sup>3</sup></i>	<i>20 %</i>	<i>4,9</i>
<i>Ozone (peak season): uncertainty of the 8h values</i>	<i>10,5 µg/m<sup>3</sup></i>	<i>15 %</i>	<i>17,5 µg/m<sup>3</sup></i>	<i>25 %</i>	<i>1,7</i>
<i>Ozone (8h mean)</i>	<i>18 µg/m<sup>3</sup></i>	<i>15 %</i>	<i>30 µg/m<sup>3</sup></i>	<i>25 %</i>	<i>2,2</i>
<i>(1) When using indicative measurements for other purposes other than compliance assessment, such as, but not only: design or review of the monitoring network, model calibration and validation, the uncertainty may be that established for modelling applications.</i>					

## Amendment 239

### Proposal for a directive Annex V – Section B – paragraph 3

#### *Text proposed by the Commission*

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O<sub>3</sub>). In order to comply with these requirements and to ensure that any potential losses of data do not skew results, the minimum data coverage requirements shall be met for specific periods (quarter, month, weekday) of the whole year depending on the

#### *Amendment*

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O<sub>3</sub>). In order to comply with these requirements and to ensure that any potential losses of data do not skew results, the minimum data coverage **and distribution** requirements shall be met for specific periods (quarter, month, weekday) of the whole year

pollutant and measurement method/frequency.

depending on the pollutant and measurement method/frequency.

#### **Amendment 240**

##### **Proposal for a directive**

##### **Annex V – Section D – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The following information shall be compiled for zones where air quality modelling *or objective estimation* is used:

The following information shall be compiled for zones where air quality modelling is used:

#### **Amendment 241**

##### **Proposal for a directive**

##### **Annex V – Section D – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) observed lack of data or information from specific sampling points,*

#### **Amendment 242**

##### **Proposal for a directive**

##### **Annex V – Section D – paragraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

*(ea) in respect of measurements from transboundary stations, an estimation of transboundary pollution related to another Member State or a third country;*

#### **Amendment 243**

##### **Proposal for a directive**

##### **Annex V – Section F – point 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1a. The Commission shall provide clear guidance and requirements for the use of*

*air quality models, with a view to working towards harmonisation.*

#### **Amendment 244**

##### **Proposal for a directive Annex VI – Section B – point 2**

*Text proposed by the Commission*

2. The Commission *may* require Member States to prepare and submit a report on the demonstration of equivalence in accordance with point 1.

*Amendment*

2. The Commission *shall* require Member States to prepare and submit a report on the demonstration of equivalence in accordance with point 1.

#### **Amendment 245**

##### **Proposal for a directive Annex VII – Section 1 – point A – paragraph 1**

*Text proposed by the Commission*

The main objectives of such measurements are to ensure that adequate information is made available on levels in urban background and rural background locations. This information is essential to judge the enhanced levels in more polluted areas (such as urban background, industry related locations, traffic related locations), assess the possible contribution from long-range transport of pollutants, support source apportionment analysis and for the understanding of specific pollutants such as particulate matter. It is also essential for the increased use of modelling also in urban areas.

*Amendment*

The main objectives of such measurements are to ensure that adequate information is made available on levels in urban background and rural background locations. This information is essential to judge the enhanced levels in more polluted areas (such as urban background *locations, air pollution hotspots*, industry related locations, traffic related locations), assess the possible contribution from long-range transport of pollutants, support source apportionment analysis and for the understanding of specific pollutants such as particulate matter. It is also essential for the increased use of modelling also in urban areas.

#### **Amendment 246**

##### **Proposal for a directive Annex VII – Section 1 – point C – paragraph 1**

*Text proposed by the Commission*

Measurements shall be taken in urban background and rural background locations in accordance with Annex IV.

*Amendment*

Measurements shall be taken in urban background ***locations, air pollution hotspots*** and rural background locations in accordance with Annex IV.

#### **Amendment 247**

##### **Proposal for a directive Annex VII – Section 2 – point B – paragraph 1**

*Text proposed by the Commission*

Measurement of ozone precursor substances shall include at least nitrogen oxides (NO and NO<sub>2</sub>), and appropriate volatile organic compounds (VOC). The selection of the specific compounds to be measured completed by other compounds of interest will depend on the objective sought.

*Amendment*

Measurement of ozone precursor substances shall include at least nitrogen oxides (NO and NO<sub>2</sub>), ***methane (CH<sub>4</sub>)*** and ***other*** appropriate volatile organic compounds (VOC). The selection of the specific compounds to be measured completed by other compounds of interest will depend on the objective sought.

#### **Amendment 248**

##### **Proposal for a directive Annex VII – Section 3 a (new)**

*Text proposed by the Commission*

*Amendment*

##### ***SECTION 3A - MEASUREMENT OF BLACK CARBON (BC)***

###### ***A. Objectives***

***The objective of such measurements is to ensure that adequate information is available at locations where high concentrations of BC occur that are mainly influenced by sources from air, water, or road transport (such as airports, ports or roads), industrial sites or domestic heating. The information shall be appropriate to judge on enhanced levels of BC concentrations from those sources.***

***B. Substances***

***BC***

***C. Siting***

***Sampling points shall be established in accordance with Annexes IV and V at a location where high BC concentrations are likely to occur and within the main wind direction.***

**Amendment 249**

**Proposal for a directive  
Annex VII – Section 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***SECTION 3B - MEASUREMENT OF  
AMMONIA (NH<sub>3</sub>)***

***A. Objectives***

***The objective of such measurements is to ensure that adequate information is available at locations where high concentrations of NH<sub>3</sub> occur that are mainly influenced by sources from agricultural and animal farming (fields and grassland subject to the application of fertiliser, stables and storages of manure). The information shall be appropriate to judge on enhanced levels of NH<sub>3</sub> concentrations from those sources.***

***B. Substances***

***NH<sub>3</sub>***

***C. Siting***

***Sampling points shall be established in accordance with Annexes IV and V at a location where high NH<sub>3</sub> concentrations are likely to occur and within the main wind direction.***

**Amendment 250**

**Proposal for a directive  
Annex VII – Section 3 c (new)**

*Text proposed by the Commission*

*Amendment*

**SECTION 3C – MEASUREMENT OF MERCURY**

**A. Objectives**

*The objective of such measurements is to ensure that adequate information is available at locations where high concentrations of mercury occur that are mainly influenced by sources from energy production and industry. The information shall be appropriate to judge on enhanced levels of mercury concentrations from those sources.*

**B. SUBSTANCES**

*Mercury*

**C. Siting**

*Sampling points shall be established in accordance with Annexes IV and V at a location where high mercury concentrations are likely to occur and within the main wind direction.*

**Amendment 251**

**Proposal for a directive  
Annex VIII – title**

*Text proposed by the Commission*

Information to be included in air quality plans for improvement in ambient air quality

*Amendment*

Information to be included in air quality plans **and air quality roadmaps** for improvement in ambient air quality

**Amendment 252**

**Proposal for a directive  
Annex VIII – Section A – point 2 – point a**

*Text proposed by the Commission*

(a) type of zone (urban, industrial or rural area) or characteristics of NUTS **1** territorial unit (including urban, industrial

*Amendment*

(a) type of zone (urban, industrial, **air pollution hotspot** or rural area) or characteristics of NUTS **2** territorial unit

or rural areas);

(including urban, industrial, *air pollution hotspot* or rural areas);

### **Amendment 253**

#### **Proposal for a directive Annex VIII – Section A – point 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) concentrations or average exposure indicator of the relevant pollutant observed at least 5 years prior to the exceedance;

(c) concentrations or average exposure indicator of the relevant pollutant observed at least 5 years prior to the exceedance ***and comparison with limit values or average exposure reduction obligation and average exposure concentration objective;***

### **Amendment 254**

#### **Proposal for a directive Annex VIII – Section A – point 3 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

Names and addresses of the competent authorities responsible for the development and implementation of air quality plans.

Names and addresses of the competent authorities responsible for the development and implementation of air quality plans ***or air quality roadmaps.***

### **Amendment 255**

#### **Proposal for a directive Annex VIII – Section A – point 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Assessment of environmental impacts and health effects***

***(a) concentrations and exceedances recorded in previous years, before the start of implementation of the air quality plan, the updated air quality plan or the air quality roadmap;***

***(b) in the event of an updated air quality plan, concentrations and exceedances recorded since the beginning of the***

*implementation of the measures set out in the updated air quality plan;*

*(c) assessment of environmental impacts and health effects related to the exposure of the population to measured concentrations, including assessment of mortality and morbidity from both acute and chronic health effects on both the general population and sensitive population and vulnerable groups;*

*(d) methods used for the assessment of environmental impacts, exposure and health effects.*

*Member States shall be guided in their assessment by the concentration-response (C-R) functions defined by the WHO linking concentrations of pollutants in ambient air to mortality risks or other adverse health effects (Health risks of air pollution in Europe – HRAPIE project), as well as the counterfactual concentrations above which health impacts are estimated ('cut-off points').*

#### **Amendment 256**

##### **Proposal for a directive Annex VIII – Section A – point 4 – point a**

*Text proposed by the Commission*

(a) list of the main emission sources responsible for pollution;

*Amendment*

(a) list of the main emission sources **and, where possible, of the specific entities** responsible for pollution;

#### **Amendment 257**

##### **Proposal for a directive Annex VIII – Section A – point 4 – point b**

*Text proposed by the Commission*

(b) total quantity of emissions from these sources (in tonnes/year);

*Amendment*

(b) total quantity of emissions from these sources **and, where possible, of the specific entities** (in tonnes/year);



## Amendment 258

### Proposal for a directive Annex VIII – Section A – point 4 – point d

*Text proposed by the Commission*

(d) source apportionment according to relevant sectors that contribute to the exceedance in the national air pollution control programme.

*Amendment*

(d) source apportionment according to relevant sectors **and, where possible, apportionment to specific entities**, that contribute to the exceedance in the national air pollution control programme.

## Amendment 259

### Proposal for a directive Annex VIII – Section A – point 4 a (new)

*Text proposed by the Commission*

*Amendment*

#### **4a. Identification of effective pollution abatement measures**

**(a) information on all possible air pollution abatement measures that could be adopted at appropriate local, regional or national level to contribute to the attainment of air quality objectives and their estimated effect in air pollution reduction of each air pollutant, including at least the pollution abatement measures listed under point B;**

**(b) assessment of the emission reduction potential and projected impact on reducing concentrations resulting from the implementation of each of the possible pollution abatement measures identified, both individual and combined impacts, including the method of analysis and the associated uncertainties in line with the methodology referred to in Point Ba.**

## Amendment 260

### Proposal for a directive Annex VIII – Section A – point 4 b (new)

*Text proposed by the Commission*

*Amendment*

#### **4b. Baseline scenario**

*(a) a description of existing air pollution abatement measures at local, regional, national and international level, including up-to-date information on the status and timetable of implementation;*

*(b) information concerning the status of implementation of the Directives referred to in point B, point 1, and in particular measures included in the National Air Pollution Control Programme (NAPCP);*

*(c) observed effects of the measures referred to in points (a) and (b) in addressing the factors responsible for the exceedance (emission reductions achieved and related concentration reductions);*

*(d) a projected further evolution of air quality, both emissions and concentrations, assuming no change to already adopted measures ('baseline scenario'), covering all years until the attainment date;*

*(e) an estimate of health effects related to the exposure of the population to air pollution in the baseline scenario;*

*(f) a description of the method of analysis for the projections and the associated uncertainties in line with the methodology referred to in Point Ba.*

## **Amendment 261**

### **Proposal for a directive Annex VIII – Section A – point 5 – introductory part**

*Text proposed by the Commission*

5. Expected impact of measures to reach compliance within 3 years after *adoption* of the *air quality plan*

*Amendment*

5. Expected impact of measures to reach compliance *as soon as possible and, at the latest*, within 3 years after *the end* of the *calendar year in which the first exceedance was recorded*

## **Amendment 262**

### **Proposal for a directive Annex VIII – Section A – point 5 – point b**

*Text proposed by the Commission*

(b) estimated year of compliance per air pollutant covered by the air quality plan taking into account measures referred to in point 6.

*Amendment*

(b) ***indicative trajectory towards compliance and*** estimated year of compliance per air pollutant covered by the air quality ***roadmap or air quality*** plan taking into account measures referred to in point 6.

### **Amendment 263**

#### **Proposal for a directive**

#### **Annex VIII – Section A – point 5 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) for air quality roadmaps under Article 19(-1) and air quality plans under Article 19(1), with a view to ensuring that the exceedance period is kept as short as possible, detailed reasons to explain how the plan sets out measures referred to in point 4a of this Point, including the following:***

***(i) where the start date for implementation of a measure is later than 6 months from the date of adoption of the air quality plan or air quality roadmap, an explanation of the reasons why an earlier start date is not possible;***

***(ii) where the analysis pursuant to point 4a has identified measures that would have greater impacts in improving air quality, but they have not been selected for adoption, an explanation of the reasons why adoption of such measures is not considered feasible.***

### **Amendment 264**

#### **Proposal for a directive**

#### **Annex VIII – Section A – point 6 – point -a (new)**

*Text proposed by the Commission*

*Amendment*

***(-a) review of pollution reduction measures as referred to in point 4a of this***

***Point and their estimated effect on air pollution reduction of each air pollutant, including at least the measures listed under Point B;***

#### **Amendment 265**

##### **Proposal for a directive Annex VIII – Section A – point 6 – point a**

*Text proposed by the Commission*

(a) listing and description of all the measures set out in the air quality plan, including the identification of the competent authority in charge of their implementation;

*Amendment*

(a) listing and description of all the measures set out in the air quality plan ***or air quality roadmap and justification for those measures in terms of the source of exceedance, their effectiveness, their efficiency and their availability in time,*** including the identification of the competent authority in charge of their implementation;

#### **Amendment 266**

##### **Proposal for a directive Annex VIII – Section A – point 6 – point b**

*Text proposed by the Commission*

(b) quantification of emission reduction (in tonnes/year) of each measure under point (a);

*Amendment*

(b) quantification of emission reduction (in tonnes/year), ***by source and, where possible, by specific entities,*** of each measure, ***both individual and combined,*** under point (a);

#### **Amendment 267**

##### **Proposal for a directive Annex VIII – Section A – point 6 – point c**

*Text proposed by the Commission*

(c) timetable for implementation of each measure and ***responsible actors;***

*Amendment*

(c) timetable for implementation of each measure and ***identification, where possible, of the specific entities which have obligations arising from the measures set out in the air quality plan or air quality roadmap, and a description of those obligations and their economic and***

*social impacts;*

#### **Amendment 268**

##### **Proposal for a directive Annex VIII – Section A – point 6 – point d**

*Text proposed by the Commission*

(d) estimate of the concentration reduction as a consequence of each air quality measure, *in relation to the exceedance concerned*;

*Amendment*

(d) estimate of the concentration reduction *in relation to the exceedance concerned*, as a consequence of each air quality measure, *both individual and combined, under point (a)*;

#### **Amendment 269**

##### **Proposal for a directive Annex VIII – Section A – point 7 – point d**

*Text proposed by the Commission*

(d) listing *and* description of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.

*Amendment*

(d) listing, description, *justification and socio-economic impact* of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.

#### **Amendment 270**

##### **Proposal for a directive Annex VIII – Section A – point 7 a (new)**

*Text proposed by the Commission*

*Amendment*

*7a. Annex 2a: A summary of the public information and consultation measures undertaken pursuant to Article 19(6), their results and an explanation of how these results were taken into account in the final air quality plan or air quality roadmap.*

#### **Amendment 271**

##### **Proposal for a directive Annex VIII – Section B – point 2 – introductory part**

*Text proposed by the Commission*

2. **Information on all** air pollution abatement measures **that have been considered** at local, regional or national level for implementation in connection with the attainment of air quality objectives, including:

*Amendment*

2. **When preparing air quality plans or air quality roadmaps, Member States shall consider at least the following** air pollution abatement measures at local, regional or national level for implementation in connection with the attainment of air quality objectives, including:

## **Amendment 272**

### **Proposal for a directive Annex VIII – Section B – point 2 – point c**

*Text proposed by the Commission*

(c) procurement by public authorities, in line with the handbook on **environmental** public procurement, of **zero emissions road vehicles**, fuels **and** combustion equipment to reduce emissions;

*Amendment*

(c) procurement by public authorities, in line with the handbook on **green** public procurement, of fuels, combustion equipment to reduce emissions **and zero-emission vehicles as defined in Article 3(1), point (m), of Regulation (EU) 2019/631 of the European Parliament and of the Council<sup>1a</sup>**;

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<sup>1a</sup> **Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (OJ L 111, 25.4.2019, p. 13).**

## **Amendment 273**

### **Proposal for a directive Annex VIII – Section B – point 2 – point c a (new)**

*Text proposed by the Commission*

**(ca) reduction of emissions through the uptake of zero- and low-emission collective and public transport vehicles**

*Amendment*

*and/or vehicles equipped with modern digital solutions affecting emissions reduction;*

#### **Amendment 274**

##### **Proposal for a directive Annex VIII – Section B – point 2 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

*(cb) measures to improve the quality, efficiency, affordability and connectivity of collective and public transport;*

#### **Amendment 275**

##### **Proposal for a directive Annex VIII – Section B – point 2 – point c c (new)**

*Text proposed by the Commission*

*Amendment*

*(cc) measures related to the uptake and implementation of alternative fuel infrastructure;*

#### **Amendment 276**

##### **Proposal for a directive Annex VIII – Section B – point 2 – point d**

*Text proposed by the Commission*

*Amendment*

(d) measures to limit transport emissions through **traffic** planning and management (including congestion pricing, **differentiated** parking fees or other economic incentives; establishing urban vehicles access restrictions schemes, including low emission zones);

(d) measures to limit transport emissions through **urban** planning and **traffic** management, including **at least**:

**(i) congestion pricing, such as road pricing and mileage-based user fees;**

**(ii) choice of road materials;**

**(iii) parking fees on public land or other economic incentives and with differentiated fees for polluting and zero-emission vehicles;**

*(iv) establishing urban vehicles access restrictions schemes, including low emission zones **in line with the most recent Euro standard, and zero-emission zones**;*

*(v) establishing low-traffic neighbourhoods, super blocks and car-free neighbourhoods;*

*(vi) establishing car-free streets;*

*(vii) introducing low speed limits;*

*(viii) ‘last mile’ zero (exhaust) emission delivery arrangements;*

*(ix) promoting car sharing and carpooling;*

*(x) implementation of intelligent transport systems and digital solutions related to emissions reduction;*

*(xi) creation of multimodal hubs connecting various sustainable transport solutions and parking facilities;*

## **Amendment 277**

### **Proposal for a directive Annex VIII – Section B – point 2 – point e**

*Text proposed by the Commission*

(e) measures to encourage a shift towards less polluting forms of transport;

*Amendment*

(e) measures to encourage a **modal** shift towards **active mobility and** less polluting forms of transport (**e.g walking, cycling, public transport or rail**), **including at least:**

*(i) electrifying public transport, strengthening the public transport network, reducing public transport cost for citizens, and simplifying access and use, for example through digital and interconnected booking and real-time transit information;*

*(ii) ensuring smooth inter-modality for rural-urban commuting, for example between rail and cycling, and between cars and public transport (park and ride schemes);*



- (iii) incentivising cycling and walking, for example by expanding space for cyclists and pedestrians, prioritising cycling and walking in infrastructure planning, expanding the network of cycling routes, and redirecting fiscal and economic incentives towards active and shared mobility, including incentives for cycling and walking commute to work;*
- (iv) planning for compact cities;*
- (v) scrappage schemes for the most polluting vehicles;*

#### **Amendment 278**

##### **Proposal for a directive Annex VIII – Section B – point 2 – point g**

*Text proposed by the Commission*

*(g) measure to ensure that low emission fuels are given preference in small-, medium- and large-scale stationary sources and in mobile sources;*

*Amendment*

*(g) requiring the use of best available technologies to eliminate or, where it is not possible to eliminate, to reduce as much as possible emissions from small-, medium- and large-scale stationary sources and in mobile sources;*

#### **Amendment 279**

##### **Proposal for a directive Annex VIII – Section B – point 2 – point h a (new)**

*Text proposed by the Commission*

*(ha) measures to reduce air pollution in air pollution hotspots, including in ports and port cities, and establishing specific requirements for ships and boats at berth and port traffic, while speeding-up on-shore power supply and electrification of ships and port working machinery;*

*Amendment*

#### **Amendment 280**

##### **Proposal for a directive Annex VIII – Section B – point 2 – point h b (new)**

*Text proposed by the Commission*

*Amendment*

***(hb) reduction of emissions from road, maritime and air transport through the use of alternative fuels and deployment of alternative fuels infrastructure, as well as the use of economic incentives to accelerate their take-up;***

**Amendment 281**

**Proposal for a directive**

**Annex VIII – Section B – point 2 – point h c (new)**

*Text proposed by the Commission*

*Amendment*

***(hc) measures to reduce emissions from agriculture and forestry;***

**Amendment 282**

**Proposal for a directive**

**Annex VIII – Section B – point 2 – point i**

*Text proposed by the Commission*

*Amendment*

(i) measures to protect the health of children or other sensitive population groups.

(i) measures to protect the health of children or other sensitive population ***and vulnerable*** groups;

**Amendment 283**

**Proposal for a directive**

**Annex VIII – Section B – point 2 – point i a (new)**

*Text proposed by the Commission*

*Amendment*

***(ia) measures by health authorities to encourage behavioural changes.***

**Amendment 284**

**Proposal for a directive**

**Annex VIII – Section B a (new)**

*Text proposed by the Commission*

*Amendment*

***Ba. Guidance and minimum requirements for analysing the projected***

***impact of air quality plans or air quality roadmaps and pollution abatement measures***

***1. Member States shall rely on objective and scientific methods to assess the projected impact of air quality plans, air quality roadmaps and pollution abatement measures. Where relying on projected impacts of pollution abatement measures for the delivery of compliance with air quality objectives, those projections shall include a low level of uncertainty.***

***2. Air quality plans or air quality roadmaps shall contain enough information in sufficient detail in order to justify the impact assessment, including:***

***(a) a description of the method used for forecasting the evolution of air quality;***

***(b) an explanation of whether the projections are based on objective data or on assumptions; when relying on assumptions, a sensitivity analysis to explain best-case, most likely and worst-case scenarios;***

***(c) background documents and information used for the assessment;***

***(d) an assessment of the individual impact of each air pollution abatement measure on emission reductions and related concentration reductions and the relevant assumptions;***

***(e) an assessment of the combined impact of the air pollution abatement measures included in the air quality plan or air quality roadmap on emission reductions and related concentration reductions and the relevant assumptions.***

***3. The impact assessment shall include the margin of uncertainty of the projections, and the margin of confidence on factors, such as the real world emissions of vehicles or stoves, or the uncertainty about the impact of voluntary measures aiming at pushing behaviour changes.***

***4. In line with the obligation to achieve compliance in the shortest time possible, when modelling future scenarios, whenever the projections extend beyond 3 years, the results shall be shown for each year of the projected period.***

***5. Sensitivity scenarios shall be included, describing the upper and lower confidence intervals in light of possible variations in the different assumptions and description of the best-case, most likely and worst-case scenarios.***

**Amendment 285**

**Proposal for a directive  
Annex VIII a (new)**

*Text proposed by the Commission*

*Amendment*

**ANNEX VIIIa**

***EMERGENCY MEASURES TO BE CONSIDERED FOR INCLUSION IN THE SHORT-TERM ACTION PLANS REQUIRED UNDER ARTICLE 20***

***1. Measures to be taken in the short term aimed at addressing the sources which contribute to the risk of the relevant limit values, target values or alert threshold being exceeded:***

***(a) restricting the circulation of vehicles;***

***(b) low-fare or fare-free public transportation;***

***(c) implementing stricter emission limits;***

***(d) suspending operations at construction works;***

***(e) street cleaning;***

***(f) flexible work arrangements;***

***(g) introducing driving restrictions around locations frequented by sensitive population and vulnerable groups.***

***3. Proactive steps to be taken in order to provide specific air pollution, health***

*and health protection information, both to the general public and to sensitive population and vulnerable groups, by means of easily accessible, online or offline communication channels, as soon as exceedances of information and alert thresholds and of limit values and target values are projected.*

## **Amendment 286**

### **Proposal for a directive Annex IX – point 1 – point b**

*Text proposed by the Commission*

(b) measured concentrations of all pollutants presented according to the appropriate periods as laid down in Annex I;

*Amendment*

(b) measured concentrations of all pollutants *and how they compare with the most recent maximum concentrations recommended by the WHO*, presented according to the appropriate periods as laid down in Annex I;

## **Amendment 287**

### **Proposal for a directive Annex IX – point 1 – point c – introductory part**

*Text proposed by the Commission*

(c) information on observed exceedance(s) of any limit value, ozone target value, and average exposure reduction obligation, including at least:

*Amendment*

(c) information on observed exceedance(s) of any limit value, ozone target value, *information threshold, alert threshold*, and average exposure reduction obligation, including at least:

## **Amendment 288**

### **Proposal for a directive Annex IX – point 1 – point d – point i**

*Text proposed by the Commission*

(i) the health impacts of air pollution on general population,

*Amendment*

(i) the health impacts of air pollution, *and specifically of each pollutant measured under this Directive*, on general population,

## Amendment 289

### Proposal for a directive Annex IX – point 1 – point d – point ii

*Text proposed by the Commission*

(ii) the health impacts of air pollution on vulnerable groups,

*Amendment*

(ii) the health impacts of air pollution, ***and specifically of each pollutant measured under this Directive***, on vulnerable groups,

## Amendment 290

### Proposal for a directive Annex IX – point 1 – point d – point iv

*Text proposed by the Commission*

(iv) recommended precautions to be taken,

*Amendment*

(iv) recommended precautions to be taken, ***broken down into precautions to be taken by the general population and by sensitive population and vulnerable groups, and actions to relieve the symptoms once exposure has occurred***,

## Amendment 291

### Proposal for a directive Annex IX – point 2 – point d

*Text proposed by the Commission*

(d) information on preventive ***action*** to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions;

*Amendment*

(d) information on ***short-term measures and preventive actions*** to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions ***and limitations on exposure***;