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Subject: A Clean Air Programme for Europe

- Comments from delegations

With a view to the WPE meeting on 24 February, delegations will find in Annex comments from Belgium on the above-mentioned Communication and proposals.

BELGIUM**1. General – thematic strategy**

Belgium welcomes the strategy and agrees with the approach of the COM which initially focusses on achieving compliance with the existing air quality standards. Belgium considers it highly important that the impact of air pollution on health and the environment is minimized and can support the ambition level proposed in the strategy. The way this ambition level is translated into objectives should however be reasonable and there should be a fair burden sharing between all Member States. An important tool to achieve this is to adopt ambitious Community (source)legislation; we thus support the publication of a legislative proposal on emission from medium combustion plants.

The ambition of Community action (including, but not limited to MCP) must be clear before a final agreement on national emission reduction targets can be reached.

Belgium notes with satisfaction that the COM in its strategy addresses the problem of the high NOx emissions from dieselcars. In footnote 7 of the Strategy the COM refers to possible problems with the implementation of the current standard. This footnote deserves more attention. There are indeed devices that disable or circumvent the equipment for reducing emissions. Increasingly, we are faced with the removal of particulate filters, a manipulation that is not detected by the vehicle control (the current diesel test does not allow to bring these practices to light). Belgium then wonders to what extent the measures proposed by the COM will be sufficient to stop these practices and proposes to consider a revision of the directive relating to the vehicle inspection in order to make vehicle control an adequate tool to prevent cycle beating and manipulation.

The COM refers in its strategy to the relationship between air quality policy and other policy areas, such as agriculture, transport, environment and product standardization. However, she never mentions how she, when elaborating policies in these areas, will take into account the impact of such policies on air quality. In the past, insufficient attention was paid to this. For example, climate policy drives increased consumption of biomass. Biomass combustion leads to high dust emission (as compared to natural gas combustion), so it is necessary that the stimulation of biomass burning is accompanied by stringent dust standards at European level for these installations in order to avoid that the air quality is adversely affected.

In chapter 2.2.3. of the strategy, the Commission mentions the development of new public oriented indicators. What indicators does the COM have in mind?

2. MCP

At this moment it is too early to comment on the ambition level of the proposals for both the NEC-directive and the MCP-directive, sufficient time is needed to thoroughly evaluate these. Belgium however has its questions to the practical achievability and the efficiency of the ‘benchmark standards’ approach from the MCP-directive. We would like to ask the Commission to come forward with data demonstrating that this indeed is an effective way to tackle air quality problems in those zones.

In the same context, it is important to note that member states have a lot of freedom in the establishment of AQ-zones; the effect of the benchmark standards depends of the way the zones have been delimited. In member with a lot of small zones, the impact of the benchmark standards will be different (most likely smaller) than in member states with fewer, but larger zones.

Secondly, it is unclear whether the transition periods from Art. 5, 2° and 3° also apply to the benchmark limit values for MCP's that are in zones where the AQ standards are exceeded.

3. NEC

As already stated, we need time to evaluate the proposal and the figures in detail. In order to do this, we need the detailed data; whereas these are available on the GAINS-website for the other pollutants, no details on the proposal for CH₄ seem to be available.

In the proposal for the NEC-directive, emission reduction targets are based on fuel sold. We have no objections against this approach, but account needs to be taken of the fact that the reduction targets for Belgium from the Göteborg protocol are based on fuel used. Switching to fuel sold has an impact on the achievable reduction. An analysis to come forward with figures is going on, but we want to stress that for 2020 either the reduction targets in NEC should be based on fuel used, either the reduction targets itself will have to be adapted to fuel sold.

Then, two small questions for clarification:

- Art. 6, 4, (a): what is meant with 'risk of non-compliance'?
- Annex III, C.: is there a definition of "small and micro farms"?