



Commissioner Janez Potočnik  
European Commission  
Rue de la Loi 200  
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Brussels, 9 June 2010

To: Mr. Janez Potočnik, European Commissioner for the Environment  
Cc.: Mr. Karl Falkenberg, Director-General, DG Environment, European Commission

**Re: NGO call for a prioritisation of air quality action (revision of the National Emission Ceilings and the Sulphur Content of Marine Fuels Directives)**

Dear Commissioner Potočnik,

As environment and health NGOs working on the improvement of air quality, we are writing to express our serious concerns about the Commission's continued postponement of essential legislation in the field of air pollution. We previously wrote to you about air pollution from ships shortly after you took office but regrettably we feel the need to express our concerns more strongly and more specifically with this letter.

Air pollutants are estimated to cause close to half a million premature deaths each year as well as severe damage to the environment through eutrophication, acidification and ground-level ozone throughout Europe. The revision of key legislation on emissions is therefore needed and would help Member States comply with limit values on ambient air quality which are currently exceeded in most parts of Europe.

Given the importance of improving Europe's air quality, and the synergistic effects of Commission work in other areas such as sustainable transport, climate change, health, biodiversity, and industrial policy (notably the Industrial Emissions Directive recast) we see no excuse for such delays and call upon you to raise the political profile of such an important issue affecting human and environmental health. In particular, we call upon you to activate without further delay the revision of the following legislation:

**Directive 2001/81/EC on national emission ceilings (NEC)**

The NEC Directive is the cornerstone of EU legislation to control overall levels of air pollution in Europe. The proposal for a revision of the NEC Directive was to be published in 2005, together with the Thematic Strategy on air pollution. However, the proposed revision has been repeatedly postponed by the European Commission.

We would like to highlight that:

- Current national emission ceilings are not sufficient to meet even the interim health and environmental targets for 2010 laid down in the Directive, so new stricter ceilings are urgently needed. Moreover, without a revised NEC Directive, the overall emission of fine particulate matter (PM<sub>2.5</sub>), which is the pollutant with the highest estimated impact on human health, will remain unregulated.
- Sector legislation (such as IED, vehicle emission standards, etc.) is necessary, but does not guarantee the attainment of environmental and health quality targets.
- Current EU efforts addressing climate change will benefit from new national emission ceilings as greenhouse gases and air pollutants generally come from the same sources.

- Recently agreed biodiversity targets for 2020 will not be met without a reduction of air pollution which is responsible for widespread acidification of soil and water and eutrophication of terrestrial and coastal ecosystems in Europe.
- Further postponement of the NEC revision may result in increased costs for Member States and industry which need enough lead-in time to implement new ceilings.
- The cost-benefit analysis done in preparation of the NEC revision shows that the benefits for health, the environment and the economy will significantly outweigh the costs involved.
- Further postponement of the NEC will have wider international implications, such as slowing down progress under the Convention on Long-Range Transboundary Air Pollution (LRTAP) in revising the Gothenburg Protocol and risking undermining the EU's credibility in these negotiations. One important consequence of the Gothenburg Protocol is that measures to reduce emissions are also implemented in non-EU countries influencing health and ecosystems within the EU. With a revised NEC Directive to refer to, the EU would strengthen its position in these negotiations and likely also improve the overall outcome of these negotiations.

### **Directive 2005/33: Sulphur Content of Marine Fuels Directive**

Emissions of air pollution from sea-going ships are continuously increasing and are becoming one of the most pressing air pollution problems in Europe. This is happening despite existing cost-effective means to reduce shipping air pollution by as much as 80-90 per cent.

A simple and efficient way of reducing emissions of SO<sub>2</sub> and PM is to reduce the sulphur content of marine fuels. The International Maritime Organisation (IMO) took a major step forward in 2008 through amendments to Marpol Annex VI which set stricter marine sulphur limits worldwide in 2020 and enabled the establishing of emission control areas where more stringent limits would apply earlier. The US and Canada have already established such an emission control area around their coasts and the US recently enshrined the IMO provisions in its legislation. EU legislation needs similarly to reflect the IMO decisions and the 2008 review of Directive 2005/33 was specifically delayed until 2010 to do just that.

We see no justification for a further delay or a piecemeal approach to revising this Directive. The Commission should adopt IMO standards as soon as possible in 2010 to signal its commitment to these breakthrough standards and to provide industry with a clear basis for developing sulphur abatement measures and the long term investments to meet the 2015 and 2020 limits. The Commission also needs to take an active role in assessments and consultations to expand emission control areas around Europe as they will play a critical part in Europe being able to meet environment objectives and air quality standards.

As this new Commission continues to settle in, we call upon you to fight for the importance of improved air quality in Europe, to build upon work being done in other policy areas but which need the support of air quality legislation. The immediate revision of these two Directives is key in achieving clean air for Europe.

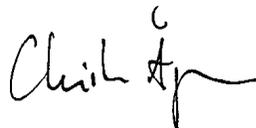
Yours sincerely,



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