

TO:

TCMV members

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Brussels, 12th October 2015

Dear TCMV Members,

RE: Proceed and adopt the second RDE package in November 2015

I am writing on behalf of Transport and Environment (T&E) representing 49 environmental groups across Europe campaigning for more sustainable transport.

The recent VW scandal and evidence presented by T&E¹ and other organisations has highlighted the continuing high real world emissions from diesel cars. Just one in 10 Euro 6 diesel cars achieve the 80mg/km nitrogen oxides (NOx) limit on the road with an average exceedance of nearly five times. There is an urgent need to finalise the new Real World Driving Emissions (RDE) test as soon as possible to reduce emissions on the road and tackle the illegal use of defeat devices.

Many Member States continue to breach ambient air pollution emissions of nitrogen dioxide (NO₂) in cities. The stringency and timetable for the introduction of limits will be crucial in resolving these breaches of existing EU laws and the potential for substantial fines. Specifically, analysis based upon that for the Commission shows that in the absence of strict limits there will continue to be breaches of pollution levels in heavily trafficked locations until beyond 2030. Even aggressive introductory timetables will mean the Euro 6 limit agreed in 2007 will not apply to all cars on the road until around 2035.

Once the effects of nitrogen dioxide are taken into account, 500 – 750 thousand EU citizens are estimated to die prematurely as a result of air pollution each year. For most Euro 5 vehicles, the cost of upgrading to an SCR system is up to c€500 maximum per vehicle. With the societal costs of air pollution estimated to be €330-940Bn per annum, it is cost-effective to implement the requirements quickly and in full.

¹ http://www.transportenvironment.org/sites/te/files/publications/Dont_Breathe_Here_exec_summary_FINAL.pdf

Conformity factors put forward by the Commission should be stricter

The proposal presented by the European Commission on 6th October does not go far enough and should be more ambitious. There is no reason to set the interim conformity factor (CF) higher than 1.5 as the AECC study² demonstrates. Today's vehicles can reach such CF with only software changes, not requiring any hardware changes to a vehicle fitted with selective catalytic reduction technology. An interim CF of 1.5 will entail minimal development work to deliver an acceptable short-term target to operate in between 2017 and 2019.

For the second step to be enforced by 2019, a CF of 1 is the only way forward. No other CF will be consistent with Euro 6 regulations or likely to be supported by the European Parliament that made it clear in both the Dess report³ and the recent plenary debate. The 2007 Euro 6 regulation clearly states that the 80mg/km diesel NOx limit must be achieved in "normal driving" – the legislators never proposed any tolerance margin to be added and there is no basis for the RDE regulation to do this.

Given the urgency to regain the credibility lost because of the VW scandal and clean up our diesel fleet, a clear and ambitious timetable for the introduction of the RDE procedure must be agreed. **Member states should adopt a CF of 1.5 from the 1st January 2017 for new types and from the 1st of January 2018 for all vehicles, and CF of 1 from the 1st of January 2019 for new types, 1st of January of 2020 for all vehicles. Such timetable would apply for M1 and N1 vehicles.**

Reject the transfer function

Last week on the 6th October, the European Parliament unanimously called for a rapid and ambitious implementation of the RDE test procedure during the urgent debate on the VW scandal. The timeline agreed at the 48th TCMV meeting in the 1st July must be respected, and the 2nd package voted before the end of 2015. The proposed timeline for the transfer function development is not compatible with the agreed calendar and its adoption will also reduce the effectiveness of the regulation to reduce NOx emissions in real driving conditions.⁴ The latest status update (presented on the 8th October) shows the work to develop a transfer function far from final or robust. The data quality and transparency on which the analysis relies is also questionable with 2 vehicles of the 5 tested belonging to the VW group, and with NOx emissions in real life not representative of data available elsewhere.

We urge you to reject inclusion of the transfer function in the 2nd package. If results are deemed robust and meaningful by the RDE data evaluation task force once the full analysis is presented (which is still some months away), provision can be inserted later in the 3rd or 4th package.

RDE should apply to all pollutants and include all driving events

The agreement on the 2nd RDE package is an important step in improving the EU testing procedure for light-duty vehicles, but it is not the end of the process. It should be followed by a swift agreement on the test method for particle number (PN) in 2016, to limit pollution from petrol GDI engines. While cold starts and regeneration events represent a significant part of the emissions arising during normal trips, they are not yet part of the RDE procedure. The Commission should start work to include cold starts and regeneration events in the next RDE package by the end of 2015.

² http://www.aecc.eu/content/RDE_seminar/06%20-%20AECC%20RDE%20seminar%20AECC%20Clean%20Diesel%20RDE%20Program.pdf

³ <http://www.europarl.europa.eu/news/en/news-room/content/20150923IPR94457/html/Car-emissions-MEPs-push-for-%E2%80%9Creal-life%E2%80%9D-test-protocol>

⁴ T&E position paper on the transfer function, available in TCMV directory: : "Transfer Function delays and weakens the RDE test procedure"

RDE tests should be used for all pollutants from new registrations in 2020 and should include cold starts and regeneration events.

Further voting recommendations

In order to make sure that vehicles will perform more effectively in urban areas where NO₂ exceedances usually occur, and where more people are exposed:

1. The average urban speed should be set at 15km/h to 30 km/h, **as agreed in the first package**, instead of 15 to 40km/h proposed by the Commission. Ensuring lower average speed will allow tested vehicles to be properly assessed where it matters, in urban centres where NO₂ exceedances occur, and where more people are exposed.
2. Minimum idling time should remain at 10%, **as agreed in the first package**, instead of 6% of the urban driving time as proposed for the 2nd package, to better reflect today's congestion in European city centres.

In order to avoid numerous invalid trips that would increase the testing burden and narrow the conditions under which the vehicle can be tested:

3. The cumulative altitude gain should be set at 1500m/100km **as initially proposed by the Commission**, and not reduced to 1200m/100km. Many hilly areas will be discarded, hilly member states' type-approval authorities will struggle to find suitable routes in some areas (for example in Austria, Germany, Hungary, Luxembourg, Slovakia, Spain).
4. The proposal for dynamic boundary conditions should follow the **latest analysis provided by the Netherlands** to reflect a broader range of urban driving patterns.

Concluding comment

Euro 6 requirements should have come into force on the 1st September 2014 for new types and all new vehicles in 2015. The second package delays any limits until 2017/18 and fails to implement the regulation in full even by 2019/20.

The VW scandal has shown industry's ability to cheat or manipulate the emissions legislation on an unprecedented scale. Manufacturers have also successfully delayed and tried to weaken the RDE proposals. It is now time for Member States to ensure cars are as clean on the road as in the laboratory. This is implementing regulation for which the available technology is available and costs are less than were estimated when the Euro 6 limits were agreed back in 2007. As citizens we cannot choose where we breathe, but Member States can help to clean up the air by ensuring new diesel cars are clean and fully comply with laws agreed in 2007.

Sincerely yours,

Greg Archer
Transport and Environment