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General Secretariat

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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on the Environment
N° Cion doc.:	ST 14217/22 + ADD 1
Subject:	Air Quality Directive: WPE on 9 January 2024 - room document on Article 10

With a view to the above WPE meeting, delegations will find attached a room document on Article 10 prepared by the Presidency.

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Art. 10 – room document

On the ITM of 8/1/2024, article 10 and the related annex VII section (-1) were discussed. The EP clarified that it is open to some of the flexibilities and other changes introduced by the council, but that the article is to be looked at in its entirety. The flexibility introduced in the first part of row 169b however would not be acceptable. We would want to hear from the delegations if they have flexibility regarding this (see option 1), exploring also one additional alternative compromise approach (option 2).

On the pollutants, the EP insists on including SO₂, CO and benzene (rather than deposition of benzene which was a mistake) to be monitored. Similar to NH₃ and Hg, one might reason that there is little added value in monitoring these pollutants at both urban and rural sites, given the absence of important sources in urban areas.

The Presidency would like to hear the position of MS on the following compromise options:

On flexibilities:

1. The deletion of the flexibility for pollutants below the AT in urban supersites.
2. Keeping the flexibility for pollutants below the AT in urban supersites, but requesting that these are measured (rather than assessed) at least every [2/5] years.

On pollutants to be monitored:

3. The inclusion of SO₂ in table 2 (obligatory in rural background sites) and table 3 (making it recommended in urban background sites) of annex VII
 4. The inclusion of CO in table 2 (obligatory in rural background sites) and table 3 (making it recommended in urban background sites) of annex VII
 5. The inclusion of benzene in table 2 (obligatory in rural background sites) and table 3 (making it recommended in urban background sites) of annex VII
 6. The inclusion of oxidative potential of PM in table 2 (making it obligatory in rural background sites and leaving it recommended in urban background sites) of annex VII
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