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2022/0347 (COD)

WK 17182/2023 INIT

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INFORMATION

From:	General Secretariat of the Council
To:	Working Party on the Environment

Subject:	Air Quality Directive: 4-column table and annexes - state of play
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Delegations will find attached, for information, a 4-column table and a document on the annexes reflecting the state of play on the abovementioned proposal following discussions at the six interinstitutional technical meetings held so far. Rows marked in green have been provisionally agreed; on the rows marked in yellow discussions are ongoing.

WK 17182/2023 INIT

LIMITE

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Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ambient air quality and cleaner air for Europe (recast)

2022/0347(COD)

DRAFT [Updated draft following 6th ITM on 15/12/2023]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Formula					
1	2022/0347 (COD)	2022/0347 (COD)	2022/0347 (COD)	2022/0347 (COD) Text Origin: Commission Proposal	
Proposal Title					
2	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ambient air quality and cleaner air for Europe (recast)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ambient air quality and cleaner air for Europe (recast)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ambient air quality and cleaner air for Europe (recast)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on ambient air quality and cleaner air for Europe (recast) Text Origin: Commission Proposal	
Formula					
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	

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				Text Origin: Commission Proposal	
Citation 1					
4	Having regard to the Treaty on the functioning of the European Union , and in particular Article 192 thereof,	Having regard to the Treaty on the functioning of the European Union , and in particular Article 192 thereof,	Having regard to the Treaty on the functioning of the European Union–, and in particular Article–192 192(1) thereof,		
Citation 2					
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission, Text Origin: Commission Proposal	
Citation 3					
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments, Text Origin: Commission Proposal	
Citation 4					
7	Having regard to the opinion of the European Economic and Social Committee ¹ , _____	Having regard to the opinion of the European Economic and Social Committee ¹ , _____	Having regard to the opinion of the European Economic and Social Committee ¹ , _____	Having regard to the opinion of the European Economic and Social Committee ¹ , _____	

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	1. OJ C [...], [...], p. [...].	1. OJ C [...], [...], p. [...].	1. OJ C [...], [...], p. [...].	1. OJ C [...], [...], p. [...]. Text Origin: Commission Proposal	
Citation 5					
8	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C [...], [...], p. [...].	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C [...], [...], p. [...].	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C [...], [...], p. [...].	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C [...], [...], p. [...]. Text Origin: Commission Proposal	
Citation 6					
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure, Text Origin: Commission Proposal	
Formula					
10	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: Commission Proposal	
Recital 1					
11	(1) Directive No 2004/107/EC of the	(1) Directive No 2004/107/EC of the	(1) Directive No 2004/107/EC of the	(1) Directive No 2004/107/EC of the	

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	European Parliament and of the Council¹ and Directive 2008/50/EC of the European Parliament and of the Council² have been substantially amended. Since further amendments are to be made, those Directives should be recast in the interest of clarity. 1. Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (OJ L 023, 26.1.2005, p. 3). 2. Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1).	European Parliament and of the Council¹ and Directive 2008/50/EC of the European Parliament and of the Council² have been substantially amended. Since further amendments are to be made, those Directives should be recast in the interest of clarity. 1. Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (OJ L 023, 26.1.2005, p. 3). 2. Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1).	European Parliament and of the Council¹ and Directive 2008/50/EC of the European Parliament and of the Council² have been substantially amended. Since further amendments are to be made, those Directives should be recast in the interest of clarity. 1. Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (OJ L 023, 26.1.2005, p. 3). 2. Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1).	European Parliament and of the Council¹ and Directive 2008/50/EC of the European Parliament and of the Council² have been substantially amended. Since further amendments are to be made, those Directives should be recast in the interest of clarity. 1. Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (OJ L 023, 26.1.2005, p. 3). 2. Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1). Text Origin: Commission Proposal	
Recital 2					
12	(2) In December 2019, the European Commission set out in its Communication ‘The European Green Deal’¹ an ambitious roadmap to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, aiming to protect,	(2) In December 2019, the European Commission set out in its Communication ‘The European Green Deal’¹ an ambitious roadmap to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, aiming to protect,	(2) In December 2019, the European Commission set out in its Communication ‘The European Green Deal’¹ an ambitious roadmap to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, aiming to protect,		

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	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. 1. 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.	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 <u>Commission</u> committed <u>itself</u> 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. 1. 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.	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. 1. 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.		
Recital 3					
13	(3) In May 2021, the Commission adopted a Communication establishing a 'Zero Pollution Action Plan'¹ that inter alia addresses pollution aspects of the European Green Deal and further commits to	(3) In May 2021, the Commission adopted a Communication establishing a 'Zero Pollution Action Plan'¹ that inter alia addresses pollution aspects of the European Green Deal and further commits to	(3) In May 2021, the Commission adopted a Communication establishing a 'Zero Pollution Action Plan'¹ that inter alia addresses pollution aspects of the European Green Deal and further commits to	(3) In May 2021, the Commission adopted a Communication establishing a 'Zero Pollution Action Plan'¹ that inter alia addresses pollution aspects of the European Green Deal and further commits to	

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	reducing, by 2030, the health impact of air pollution by more than 55% and the EU ecosystems where air pollution threatens biodiversity by 25%. 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' COM(2021) 400 final.	reducing, by 2030, the health impact of air pollution by more than 55% and the EU ecosystems where air pollution threatens biodiversity by 25%. 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' COM(2021) 400 final.	reducing, by 2030, the health impact of air pollution by more than 55% and the EU ecosystems where air pollution threatens biodiversity by 25%. 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' COM(2021) 400 final.	reducing, by 2030, the health impact of air pollution by more than 55% and the EU ecosystems where air pollution threatens biodiversity by 25%. 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil' COM(2021) 400 final. Text Origin: Commission Proposal	
Recital 4					
14	(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	(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 <u>an ambitious</u> approach towards setting current and future EU air quality standards should be pursued, establishing intermediate air quality standards for the year <u>2035</u>, <u>including intermediate air quality standards for 2030</u>,	(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 move closer to this objective 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		

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	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 Council¹. 1. 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).	<u>and at regular intervals</u> 2030 and beyond, and developing a perspective for <u>continuous full</u> alignment with the <u>most up-to-date</u> WHO Air Quality Guidelines <u>in order to achieve the zero pollution objective</u> by the year 2050 at the latest based on a regular review mechanism to take into account the latest scientific understanding <u>evidence</u>. 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 Council¹. 1. 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).	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 Council¹. 1. 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).		
Recital 4a					

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14a		<u>(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.</u>			
Recital 4b					
14b		<u>(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</u>			

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		<u>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.</u>			
Recital 5					
15	(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	(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’ <u>and the ‘prevention and rectifying pollution at source principle’</u> established in the Treaty on the Functioning of	(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 (TFEU), and the ‘do no harm’ principle of the European		

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	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	the European Union, and the 'do no harm' principle of the European Green Deal <u>and the respect of the human right to a clean, healthy and sustainable environment</u>. They should, inter alia, take into account: the contribution of improved air quality to public health, the quality of the environment <u>and ecosystem resilience</u>, the well-being of citizens, <u>equality and the protection of sensitive population and vulnerable groups</u>, <u>healthcare costs, the achievement of the Sustainable Development Goals (SDGs), the role of civil society</u>, 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 <u>and their infrastructure</u>; the impact of behavioural changes; <u>the impact of fiscal policies</u>; fairness and solidarity across and within Member States,	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		

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	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 ambition.	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, <u>including for healthcare professionals</u> ; 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, <u>the best available technological solutions</u> and technological neutrality in achieving air pollutant emission reductions; and progression over time in environmental integrity and level of ambition, <u>guided by the non-regression principle established in the Charter of Fundamental Rights of the European Union</u> .	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 ambition.		
Recital 5a					
15a		<u>(5a) This Directive contributes to the attainment of the SDGs, in</u>			

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		<u>particular SDGs 3, 7, 10, 11 and 13.</u>			
Recital 6					
16	(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 2022¹ 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 objectives set in this Directive. ¹. 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).	(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 2022¹ establishes the objective<u>as one of its priority objectives</u> 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, <u>inter alia</u>, that further improvement of monitoring methods, <u>better transboundary coordination</u>, better information to the public and access to justice are needed. This guides the objectives set in this Directive. ¹. 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).	(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 2022¹ 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 objectives set in this Directive. ¹. 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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Recital 7					
17	(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.	(7) The Commission should regularly review the scientific evidence related to pollutants, their effects on human health and the environment, <u>health inequalities, direct and indirect healthcare costs associated with air pollution, environmental costs, and behavioural, fiscal</u> and technological development <u>developments</u>. 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. <u>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,</u>	(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 31 December 2030 to assess whether air quality standards need to be updated based on the latest scientific information, whether additional air pollutants should be covered or whether additional postponement of attainment deadlines or adjustments to transboundary air provisions should be considered. Following the review, the Commission should be able to present a proposal to revise air quality standards or to include other air pollutants. Whenever		

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		<u>propose additional Union measures.</u>	necessary, the Commission should revise any relevant source of legislation to contribute to achieve air quality standards and should be able to propose further actions to be taken at Union level.		
Recital 8					
18	(8) A common approach to the assessment of ambient air quality should be followed by applying common assessment criteria. When assessing ambient air quality, account should be taken of the size of populations and ecosystems exposed to air pollution. It is therefore appropriate to classify the territory of each Member State into zones reflecting the population density.	(8) A common approach to the assessment of ambient air quality should be followed by applying common assessment criteria. When assessing ambient air quality, account should be taken of the size of populations and ecosystems exposed to air pollution. It is therefore appropriate to classify the territory of each Member State into zones reflecting the population density.	(8) A common approach to the assessment of ambient air quality should be followed— by applying common assessment criteria. When assessing ambient air quality, account should be taken of the size of populations and ecosystems exposed to air pollution. It is therefore appropriate to classify the territory of each Member State into zones and average exposure territorial units reflecting the population density.		
Recital 9					
19	(9) Fixed measurements should be mandatory in zones where assessment thresholds are exceeded. Modelling applications and indicative measurements, in	(9) Fixed measurements should be mandatory in zones where assessment thresholds are exceeded. Modelling applications and indicative measurements, in	(9) Fixed measurements should be mandatory in zones— where— assessment thresholds— are exceeded. Modelling applications and indicative measurements, in		

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	addition to information from fixed measurements, enable point data to be interpreted in terms of geographical distribution of concentrations. The use of such supplementary techniques of assessment should also allow for reduction of the required minimum number of fixed sampling points. in zones where assessment thresholds are not exceeded. In zones where limit values or target values are exceeded, both fixed measurements and the use of modelling applications should be mandatory. Additional monitoring of background concentrations and deposition of pollutants in ambient air should also be carried out to enable better understanding of pollution levels and dispersion .	addition to information from fixed measurements, enable point data to be interpreted in terms of geographical distribution of concentrations. The use of such supplementary techniques of assessment should also allow for reduction of the required minimum number of fixed sampling points. in zones where assessment thresholds are not exceeded. In zones where limit values or target values are exceeded, both fixed measurements and the use of modelling applications should be mandatory. Additional monitoring of background concentrations and deposition of pollutants in ambient air should also be carried out to enable better understanding of pollution levels and dispersion .	addition to information from fixed measurements,— enable point data to be interpreted in terms of geographical distribution of concentrations. The use of such such supplementary techniques of assessment should also allow for reduction of the required minimum number of fixed sampling points.— for fixed measurements in zones where assessment thresholds are not limit values or target values are met but the assessment threshold is exceeded. In zones where limit values or target values are exceeded, both fixed measurements and the use of it should be possible to use modelling applications should be indicative measurements in addition to mandatory fixed measurements to assess the ambient air quality. Additional monitoring of background concentrations and deposition of pollutants in ambient air should also be carried out to enable better understanding of pollution levels and dispersion-.		
Recital 10					

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20	(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).	(10) <u>Where relevant,</u> modelling—applications should be applied to enable point data to be interpreted in terms of geographical distribution of concentration <u>of pollutants,</u> to help to detect breaches of air quality standards, and to inform air quality plans and <u>air quality roadmaps and</u> 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).	(10) It Modelling applications—should be applied— possible to apply modelling applications to enable point data to be interpreted in terms of geographical distribution of concentration— to, which may 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).		
Recital 11					
21	(11) It is important that pollutants of emerging concern, such as ultrafine	(11) It is important that pollutants of emerging concern, such as ultrafine	(11) It is important that pollutants of emerging concern, such as ultrafine		

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	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.	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. <u>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.</u>	particles, black carbon and elemental carbon, as well as ammonia and the oxidative potential of particulate matter, be monitored in both rural and urban supersites in order to support scientific understanding of their effects on health and the environment, as recommended by the WHO. For Member States whose territory is less than 10 000 km², monitoring in supersites at urban locations would be sufficient as the levels measured could be considered as representative of the highest exposure of the population in the territory of such Member States.		
Recital 12					
22	(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	(12) Detailed measurements of fine particulate matter, <u>black carbon, mercury and ammonia</u> at rural background locations should be made in order to understand better the <u>transboundary contribution and the impacts of this pollutant</u> those pollutants, and to develop appropriate	(12) Detailed measurements of fine particulate matter at rural background locations should be made in order to understand better the impacts of this that pollutant and to develop appropriate policies. Such measurements should be made in a manner consistent with those of the cooperative		

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	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 1981¹ and its Protocols, including the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone of 1999, which was revised in 2012 . 1. 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).	policies, <u>including the possible introduction of limit values, target values or critical levels</u>. 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 1981¹–and its Protocols, including the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone of 1999, which was revised in 2012–. 1. 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).	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 1981¹– and its Protocols, including the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone of 1999, which was revised in 2012–. 1. 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).		
Recital 13					
23	(13) In order to ensure that the information collected on air pollution is sufficiently	(13) In order to ensure that the information collected on air pollution is sufficiently	(13) In order to ensure that the information collected on air pollution is sufficiently	(13) In order to ensure that the information collected on air pollution is sufficiently	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	representative and comparable across the Union , it is important that standardised measurement techniques and common criteria for the number and location of measuring stations are used for the assessment of ambient air quality. Techniques other than measurements can be used to assess ambient air quality and it is therefore necessary to define criteria for the use and required accuracy of such techniques.	representative and comparable across the Union , it is important that standardised measurement techniques and common criteria for the number and location of measuring stations are used for the assessment of ambient air quality. Techniques other than measurements can be used to assess ambient air quality and it is therefore necessary to define criteria for the use and required accuracy of such techniques.	representative and comparable across the Union , it is important that standardised measurement techniques and common criteria for the number and location of measuring stations are used for the assessment of ambient air quality. Techniques other than measurements can be used to assess ambient air quality and it is therefore necessary to define criteria for the use and required accuracy of such techniques.	representative and comparable across the Union , it is important that standardised measurement techniques and common criteria for the number and location of measuring stations are used for the assessment of ambient air quality. Techniques other than measurements can be used to assess ambient air quality and it is therefore necessary to define criteria for the use and required accuracy of such techniques. Text Origin: Commission Proposal	
Recital 14					
24	(14) Providing reference measurement methods is acknowledged to be an important issue. The Commission has already mandated work on the preparation of CEN standards for the measurement of polycyclic aromatic hydrocarbons and for the evaluation of the performance of sensor systems for the determination of concentrations of gaseous	(14) Providing reference measurement methods is acknowledged to be an important issue. The Commission has already mandated work on the preparation of CEN standards for the measurement of polycyclic aromatic hydrocarbons and for the evaluation of the performance of sensor systems for the determination of concentrations of gaseous	(14) -Providing reference measurement methods is acknowledged to be an important issue. The Commission has already mandated work on the preparation of CEN standards for the measurement of– polycyclic aromatic hydrocarbons and for the evaluation of the performance of sensor systems for the determination of concentrations of gaseous		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	pollutants and particulate matter in ambient air with a view to their early development and adoption. In the absence of CEN standard methods, the use of international or national standard reference measurement methods should be permitted.	pollutants and particulate matter in ambient air with a view to their early development and adoption. In the absence of CEN standard methods, the use of international or national standard reference measurement methods should be permitted.	pollutants and particulate matter in ambient air— with a view to their early development and adoption. In the absence of CEN standard methods, the use of international- or , national standard reference measurement methods or CEN technical specifications should be permitted.		
Recital 15					
25	(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	(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, <u>heating and cooling systems</u> and energy generation — . <u>Relevant Union legislation such as on European vehicle emission standards or on industrial emissions are instrumental in further reducing ambient air pollution</u> . Therefore,	(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		

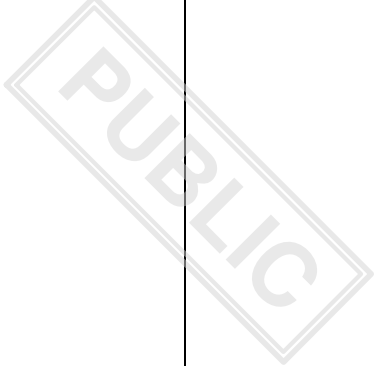
	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	Health Organization standards, guidelines and programmes.	emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate standards—set for ambient air quality taking into account relevant World Health Organization standards, <u>on the basis of the latest scientific evidence as published in the most up-to-date WHO Air Quality Guidelines and programmes in line with the Zero Pollution Action Plan for 2050.</u>	Health Organization standards, guidelines and programmes.		
Recital 15a					
25a		<u>(15a) 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</u>			

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		<u>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.</u>			
Recital 15b					
25b		<u>(15b) 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</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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.</u>			
Recital 15c					
25c		<u>(15c) Air pollution from maritime transport alone leads to over 50 000 premature deaths annually in the Union¹. 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</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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.</u> <u>L. 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.</u>			
Recital 16					
26	(16) Scientific evidence shows that sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate	(16) Scientific evidence shows that sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate	(16) Scientific evidence shows that sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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 .	matter, lead, benzene, carbon monoxide, – arsenic, cadmium, nickel, some polycyclic aromatic hydrocarbons – and ozone are– are responsible for <u>an array of</u> significant negative impacts <u>adverse effects</u> 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 <u>and via deposition.</u>	matter, lead, benzene, carbon monoxide, – arsenic, cadmium, lead, nickel, some polycyclic aromatic hydrocarbons – and ozone are– are responsible for significant negative impacts on human health –. Impact on human health and the environment occurs via concentrations in ambient air .		
Recital 16a					
26a		<u>(16a) Air pollution affects the human body, in both the short and long term, in</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>population and vulnerable groups as regards air pollution and aims to address health inequalities caused by polluted air.</u>			
Recital 16b					
26b		<u>(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 vulnerability¹. 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.</u>			

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		<u>1. Unequal exposure and unequal impacts: social vulnerability to air pollution, noise and extreme temperatures in Europe, European Environment Agency, 2018.</u>			
Recital 17					
27	(17) The effects of lead, arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons on human health, including via the food chain, and the environment , also occur via deposition; the accumulation of these substances in soils and the protection of ground water should be taken into account.	(17) The effects of lead, arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons on human health, including via the food chain, and the environment , also occur via deposition; the accumulation of these substances in soils and the protection of ground water should be taken into account.	(17) The effects of lead , arsenic, cadmium, lead , mercury, nickel and polycyclic aromatic hydrocarbons on human health, including via the food chain, and the environment, —also— also occur— via deposition; the accumulation of these those substances in soils and the protection of ground water should be taken into account.		
Recital 18					
28	(18) The average exposure of the population to the pollutants with the highest documented impact on human health, fine particulate matter (PM _{2.5}) and nitrogen dioxide (NO ₂), should be reduced based on WHO recommendations. To this end, an average exposure reduction	(18) The average exposure of the population to the pollutants with the highest documented impact on human health, fine particulate matter (PM _{2.5}) and nitrogen dioxide (NO ₂), should be reduced based on <u>the most up-to-date</u> WHO recommendations. To this end, an average exposure	(18) The average exposure of the population to the pollutants with the highest documented impact on human health, fine particulate matter (PM _{2.5}) and nitrogen dioxide (NO ₂), should be reduced based in order to move closer to WHO recommendations. To this end, an average		

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	obligation should be introduced for these pollutants, in addition to limit values.	reduction obligation should be introduced for these pollutants, in addition to limit values. <u>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.</u>	exposure reduction obligation should be introduced for these those pollutants, in addition to limit values.		
Recital 19					
29	(19) The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC) ¹ 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	(19) -The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC) ¹ has shown that limit values are more effective in bringing down pollutant concentrations than <u>other types of air quality standards, such as</u> 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,	(19) -The Fitness Check of the Ambient Air Quality Directives (Directives 2004/107/EC and 2008/50/EC) ¹ 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, lead , nickel and polycyclic		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	hydrocarbons in ambient air . Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air. 1. Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).	arsenic, cadmium, nickel and polycyclic aromatic hydrocarbons in ambient air <u><i>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.</i></u> Benzo(a)pyrene should be used as a marker for the carcinogenic risk of polycyclic aromatic hydrocarbons in ambient air. 1. Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).	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. 1. Fitness check of the Ambient Air Quality Directives of 28 November 2019 (SWD(2019) 427 final).		
Recital 20					
30	(20) To allow Member States to prepare for revised air quality standards set by this Directive and to ensure legal continuity, for an interim period limit values should be identical to those set under the repealed Directives until the new limit values start applying.	(20) To allow Member States to prepare for revised air quality standards set by this Directive and to ensure legal continuity, for an interim period limit values should be identical to those set under the repealed Directives until the new limit values start applying.	(20) To allow Member States to prepare for revised air quality standards set by this Directive and to ensure legal continuity, for an interim period limit values and target values should be identical to those set under the repealed Directives until the new limit values start applying.		
Recital 21					
31					

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	(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 Council¹ . 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 . 1. 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).	(21) Ozone is a transboundary pollutant formed in the atmosphere from the emission of primary pollutants, <u>some of which are</u> addressed by Directive 2016/2284/EU of the European Parliament and of the Council¹–. <u>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.</u> 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, <u>air quality roadmaps and</u> and air quality plans–. 1. 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).	(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 Council¹–. 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 if appropriate. 1. 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).		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Recital 22					
32	(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 .	(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 <u>regularly</u> updated in light of the most recent recommendations of the World Health Organization should be .	(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 .		
Recital 23					
33	(23) An alert threshold for sulphur dioxide, nitrogen dioxide, particulate matter (PM ₁₀ and PM _{2.5}) 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	(23) An alert threshold and <u>an information threshold</u> for sulphur dioxide, nitrogen dioxide, particulate matter (PM ₁₀ and PM _{2.5}) and ozone and an information threshold for ozone , should be set for the protection of the general population vulnerable <u>and especially</u> sensitive sections <u>population and vulnerable groups</u> , from brief exposures to elevated ozone concentrations <u>concentration s of pollutants</u> . Those thresholds should trigger the dissemination of information	(23) An alert threshold for sulphur dioxide, nitrogen dioxide, particulate matter (PM ₁₀ and PM _{2.5}) 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		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	pollution levels where the alert threshold is exceeded.	to the public on the <u>associated health</u> risks of exposure and the implementation, if appropriate, of short-term measures to reduce pollution— levels where the alert threshold is exceeded. <u>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.</u>	pollution— levels where the alert threshold is exceeded.		
Recital 24					
34	(24) In accordance with Article 193 of the Treaty, Member States may maintain or introduce more stringent protective measures provided that they are compatible with the Treaty and that they are notified to the Commission.	(24) In accordance with Article 193 of the Treaty, Member States may maintain or introduce more stringent protective measures provided that they are compatible with the Treaty and that they are notified to the Commission.	(24) In accordance with Article 193 of the Treaty 193 TFEU , Member States may maintain or introduce more stringent protective measures— provided that they are compatible with the Treaty and that they are notified to the Commission. Such notification could be		

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			accompanied by an explanation of the process of how those air quality standards have been established and the scientific information used.		
Recital 25					
35	(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.	(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 <u>and continuous</u> 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.	(25) Where air quality status should be maintained where it is already good, is already good, it should be maintained 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 adopt appropriate measures 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 ozone long-term objectives.		
Recital 26					
36	(26) Mercury is a very hazardous substance for human health and the	(26) Mercury is a very hazardous substance for human health and the	(26) Mercury is a very hazardous substance for human health and the	(26) Mercury is a very hazardous substance for human health and the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	environment. It is present throughout the environment and, in the form of methylmercury, has the capacity to accumulate in organisms, and in particular to concentrate in organisms higher up the food chain. Mercury released into the atmosphere is capable of being transported over long distances.	environment. It is present throughout the environment and, in the form of methylmercury, has the capacity to accumulate in organisms, and in particular to concentrate in organisms higher up the food chain. Mercury released into the atmosphere is capable of being transported over long distances.	environment. It is present throughout the environment and, in the form of methylmercury, has the capacity to accumulate in organisms, and in particular to concentrate in organisms higher up the food chain. Mercury released into the atmosphere is capable of being transported over long distances.	environment. It is present throughout the environment and, in the form of methylmercury, has the capacity to accumulate in organisms, and in particular to concentrate in organisms higher up the food chain. Mercury released into the atmosphere is capable of being transported over long distances. Text Origin: Commission Proposal	

Recital 27

37	(27) Regulation 2017/852 of the European Parliament and the Council¹ aims to protect human health and the environment from the release of mercury, based on a life-cycle approach, and taking into account production, use, waste treatment and emissions. Provisions on monitoring mercury in this Directive complement and inform that Regulation. ¹ Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008 (OJ L 137,	(27) Regulation 2017/852 of the European Parliament and the Council¹ aims to protect human health and the environment from the release of mercury, based on a life-cycle approach, and taking into account production, use, waste treatment and emissions. Provisions on monitoring mercury in this Directive complement and inform that Regulation. ¹ Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008 (OJ L 137,	(27) –Regulation 2017/852 of the European Parliament and the Council¹ aims to protect human health and the environment from the release of mercury, based on a life-cycle approach, and taking into account production, use, waste treatment and emissions. Provisions on monitoring mercury in this Directive complement and informprovide information for that Regulation. ¹ Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation		
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	24.5.2017, p. 1–21).	24.5.2017, p. 1–21).	(EC) No 1102/2008 (OJ L 137, 24.5.2017, p. 1–21).		
Recital 28					
38	(28) The risk posed by air pollution to vegetation and natural ecosystems is most important in places away from urban areas. The assessment of such risks and the compliance with critical levels for the protection of vegetation should therefore focus on places away from built-up areas. This assessment should take into account and complement requirements under Directive 2016/2284/EU to monitor the impacts of air pollution on terrestrial and aquatic ecosystems, and to report such impacts.	(28) The risk posed by air pollution to vegetation and natural ecosystems is most important in places away from urban areas. The assessment of such risks and the compliance with critical levels for the protection of vegetation should therefore focus on places away from built-up areas. This assessment should take into account and complement requirements under Directive 2016/2284/EU to monitor the impacts of air pollution on terrestrial and aquatic ecosystems, and to report such impacts.	(28) The risk risks posed by air pollution to vegetation and natural ecosystems is are most important in places away from urban areas. The assessment of such risks and the compliance with critical levels for the protection of vegetation should therefore focus on places away from built-up areas.– This assessment should take into account and complement requirements under Directive 2016/2284/EU to monitor the impacts of air pollution on terrestrial and aquatic ecosystems, and to report such impacts.		
Recital 29					
39	(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	(29) Contributions from natural sources can be assessed but cannot be controlled <u>can in some instances be difficult to control</u> . Therefore, where natural contributions to pollutants in ambient air can be determined with	(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		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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.	sufficient certainty, and where exceedances are due in whole or in part to these natural contributions, <u>which are beyond the Member States' control and could not have been anticipated, mitigated or prevented,</u> 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 <u>winter-salting</u> of roads may also be subtracted when assessing compliance with air quality limit values <u>only when evidence is</u> provided that <u>all</u> reasonable measures have been taken to lower concentrations. <u>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.</u>	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.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Recital 29a					
39a		<u>(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.</u>			
Recital 30					
40	(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	(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	(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		

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	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.	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.	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 . This air quality plan should set out appropriate measures to keep the exceedance period as short as possible. Member States should also demonstrate that the measures in the air quality plan have been implemented to ensure compliance by the revised deadline.		
Recital 31					
41	(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	(31) Air quality plans should be developed and updated for zones within within which concentrations of pollutants in ambient air exceed the relevant air quality limit values , ozone target values or average exposure reduction obligations are emitted from many different sources and activities. To ensure	(31) Air quality plans should be developed and updated for zones or territorial units within which concentrations of pollutants in ambient air exceed the relevant air quality limit values or ozone target values or average exposure reduction obligations are emitted from many different sources and		

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	coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared pursuant to Directive 2010/75/EU 2001/80/EC of the European Parliament and of the Council ¹, Directive (EU) 2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council ². ¹. 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). ². 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.)	coherence between different policies, such air quality plans should where feasible be consistent with plans and programmes prepared pursuant to Directive 2010/75/EU 2001/80/EC of the European Parliament and of the Council ¹, Directive (EU) 2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council ². ¹. 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). ². 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.)	activities. To ensure coherence between different policies, such air- Air quality plans should where feasible be consistent with plans and programmes prepared pursuant to Directive 2010/75/EU 2001/80/EC of the European Parliament and of the Council ¹, Directive (EU) 2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council ².also be developed and updated for ozone target values exceedances, provided there is significant potential under the given circumstances and provided that the measures to address the exceedance do not entail disproportionate costs. ¹. 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). ². 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.)		
Recital 31a					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
41a		<u>(31a) As clarified by the case-law of the Court of Justice¹, 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.</u> <u>1. 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.</u>	(31a) 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 pursuant to Directive 2010/75/EU, 2001/80/EC of the European Parliament and of the Council¹, Directive (EU) 2016/2284, and Directive 2002/49/EC of the European Parliament and of the Council². 1. 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). 2. 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.)		
Recital 32					
42	(32) Air quality plans should also be prepared ahead of 2030 where there is	(32) <u>In order to align Union legislation with the latest scientific evidence</u>	(32) Air quality plans should also be prepared ahead of 2030 where there is		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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.	<u>and the most recent WHO Air Quality plans should also be prepared ahead of 2030 where there is a risk that Member States will not attain the 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 or ozone target value by that date set for 2030. The air quality roadmap should set out short- and long-term policies and measures in order to ensure that levels of pollutants are reduced accordingly 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</u>	a risk that Member States will not attain the limit values or, if appropriate, ozone target value values by that date in order to ensure that levels of pollutants are reduced accordingly.		

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		<u>Article 4, point (36).</u>			
Recital 33					
43	(33) Action plans should be drawn up indicating the measures to be taken in the short term where there is a risk of an exceedance of one or more alert thresholds in order to reduce that risk and to limit its duration. When the risk applies to one or more limit values or target values, Member States may, where appropriate, draw up such short-term action plans.	(33) Action plans should be drawn up indicating the measures to be taken in the short term where there is a risk of an exceedance of one or more alert thresholds in order to reduce that risk and to limit its duration. When the risk applies to one or more limit values or target values, Member States may, where appropriate, draw up such short-term action plans.	(33) Action plans should be drawn up indicating the measures to be taken in the short term where there is a risk of an exceedance of one or more alert thresholds in order to reduce that risk and to limit its duration. When the risk applies to one or more limit values or target values, Member States may, where appropriate, draw up such short-term action plans.	(33) Action plans should be drawn up indicating the measures to be taken in the short term where there is a risk of an exceedance of one or more alert thresholds in order to reduce that risk and to limit its duration. When the risk applies to one or more limit values or target values, Member States may, where appropriate, draw up such short-term action plans. Text Origin: Commission Proposal	
Recital 34					
44	(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	(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	(34) As the Third Clean Air Outlook confirmed, the pollution has no boundaries and is shared across the Union. In most Member States, a significant share of pollution is generated outside their territory. Furthermore, according to the Third Clean Air Outlook, the significance of non-EU pollution sources		

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	ozone and particulate matter, may require coordination between neighbouring 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.	ozone and particulate matter, may <u>should</u> require <u>rapid</u> coordination between neighbouring Member States in drawing up and implementing air quality plans and short-term action plans and in informing the public <u>as soon as possible</u> . 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.	is projected to rise. The nature of transboundary air pollution prevents Member States from addressing this pollution using local, regional or national measures; such pollution is also outside Member States' administrative powers and jurisdiction. Nevertheless, 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 values, average exposure reduction obligation— or alert threshold. The transboundary nature of specific pollutants, such as ozone and particulate matter, requires that the Member States concerned cooperate with each other to identify the sources of air pollution and the measures to be taken to address those sources and draw up coordinated activities, such as the coordination of may require coordination between neighbouring Member States		

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			in drawing up and implementing air quality plans and short-term action plans and, in which each Member State should address pollution sources in its territory, in order to remove such exceedances, as well as 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 informed in a timely informed of and manner of, and be invited to be present and assist in, any such cooperation, and it may provide technical support to Member States upon request where appropriate. The Commission should analyse information gathered from Member States, as well as other relevant data available, in order to determine whether transboundary air pollution significantly affects compliance with air quality standards in the Union. If this is the case, the Commission should be		

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			able to propose, if appropriate, further action to be taken at the Union level.		
Recital 35					
45	(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.	(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, <u>air quality roadmaps</u> and short-term action plans— should also be readily available to the public <u>in a coherent and easily understandable manner</u> .	(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. Available up-to-date information on concentrations of all regulated pollutants in ambient air—, information regarding impacts on health , as well as air quality plans and short-term action plans— should also be readily available to the public.		
Recital 35a					
45a		<u>(35a) The Digital Economy and Society Index (DESI) shows that over 40 % of adults in the Union lack basic digital skills¹. Member States should therefore</u>			

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		<u>ensure that information to be made public in accordance with this Directive is communicated, where relevant, also via non-digital communication channels.</u> <u>1. Digital Economy and Society Index (DESI) 2022 (https://digital-strategy.ec.europa.eu/en/policies/desi).</u>			

Recital 36

46	(36) Information on the concentrations and the deposition of the regulated pollutants should be forwarded to the Commission as a basis for regular reports. In order to facilitate the handling and comparison of air quality information, data should be made available to the Commission in a standardised form.	(36) Information on the concentrations and the deposition of the regulated pollutants should be forwarded to the Commission as a basis for regular reports. In order to facilitate the handling and comparison of air quality information, data should be made available to the Commission in a standardised form.	(36) Information on the concentrations and the deposition of the regulated pollutants should be forwarded to the Commission as a basis for regular reports. In order to facilitate the handling and comparison of air quality information, data should be made available to the Commission in a standardised form.	(36) Information on the concentrations and the deposition of the regulated pollutants should be forwarded to the Commission as a basis for regular reports. In order to facilitate the handling and comparison of air quality information, data should be made available to the Commission in a standardised form.	Text Origin: Commission Proposal
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Recital 37

47	(37) It is necessary to adapt procedures for data provision, assessment and	(37) It is necessary to adapt procedures for data provision, assessment and	(37) It is necessary to adapt procedures for data provision, assessment and	(37) It is necessary to adapt procedures for data provision, assessment and	
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	reporting of air quality to enable electronic means and the Internet to be used as the main tools to make information available, and so that such procedures are compatible with Directive 2007/2/EC of the European Parliament and the Council¹. 1. 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).	reporting of air quality to enable electronic means and the Internet to be used as the main tools to make information available, and so that such procedures are compatible with Directive 2007/2/EC of the European Parliament and the Council¹. 1. 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).	reporting of air quality to enable electronic means and the Internet to be used as the main tools to make information available, and so that such procedures are compatible with Directive 2007/2/EC of the European Parliament and the Council¹. 1. 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).	reporting of air quality to enable electronic means and the Internet to be used as the main tools to make information available, and so that such procedures are compatible with Directive 2007/2/EC of the European Parliament and the Council¹. 1. 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). Text Origin: Commission Proposal	
Recital 38					
48	(38) It is appropriate to provide for the possibility of adapting the criteria and techniques used for the assessment of the ambient air quality to scientific and technical progress and adapting thereto the information to be provided.	(38) It is appropriate to provide for the possibility of adapting the criteria and techniques used for the assessment of the ambient air quality to scientific and technical progress and adapting thereto the information to be provided.	(38) It is appropriate to provide for the possibility of adapting the criteria and techniques used for the assessment of the ambient air quality to scientific and technical progress and adapting thereto the information to be provided.		
Recital 39					
49	(39) As clarified by the	(39) As clarified by the	(39) As clarified by the		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	case-law of the Court of Justice¹, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice², effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or a competent independent and impartial body to order interim measures to prevent a given instance of pollution. Therefore, it should be specified that legal standing should not be made conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and	case-law of the Court of Justice¹, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. As also clarified by the case-law of the Court of Justice², effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask the court or a competent independent and impartial body to order interim measures to prevent a given instance of pollution. Therefore, it should be specified that legal standing should not be made conditional on the role that the concerned member of the public played during a participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and	case-law of the Court of Justice¹, Member States may not restrict legal standing to challenge a decision of a public authority to those members of the public concerned who participated in the preceding administrative procedure to adopt that decision. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate As also clarified by the case-law of the Court of Justice², effective access to justice in environmental matters and effective remedies requires inter alia that members of the public concerned should have the right to ask redress mechanisms, including injunctive relief as appropriate. Furthermore, the Court or a competent independent and impartial body to order interim measures to prevent a given instance of pollution. Therefore, it should be specified that legal standing should not be made conditional on the role that the concerned member of the public played during a		

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	effective redress mechanisms, including injunctive relief as appropriate. 1. Case C-826/18, Judgment of the Court (First Chamber) of 14 January 2021; LB and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren; paragraphs 58 and 59. 2. Case C-416/10 Judgment of the Court (Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia životného prostredia. Križan, paragraph 109.	effective redress mechanisms, including injunctive relief as appropriate. 1. Case C-826/18, Judgment of the Court (First Chamber) of 14 January 2021; LB and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren; paragraphs 58 and 59. 2. Case C-416/10 Judgment of the Court (Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia životného prostredia. Križan, paragraph 109.	participatory phase of the decision-making procedures under this Directive. In addition, any review procedure should be fair, equitable, timely and not prohibitively expensive, and provide for adequate and effective redress mechanisms, including injunctive relief as appropriate. of Justice³ has ruled that natural or legal persons directly concerned by the limit values being exceeded must be in a position to require the competent authorities, if necessary by bringing an action before the courts having jurisdiction, to establish an air quality plan where a Member State has failed to secure compliance with the limit values and has not applied for a postponement of the deadline. 1. Case C-826/18, Judgment of the Court (First Chamber) of 14 January 2021; LB and Others v College van burgemeester en wethouders van de gemeente Echt-Susteren; paragraphs 58 and 59. 2. Case C-416/10 Judgment of the Court (Grand Chamber), 15 January 2013; Jozef Križan and Others v Slovenská inšpekcia		

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			životného prostredia Krízan, paragraph 109. 3. Case C-404/13, Judgment of the Court (Second Chamber) of 19 November 2014; Client Earth v the Secretary of State for the Environment, Food and Rural Affairs; paragraph 56.		
Recital 40					
50	(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	(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 <u>and well-being</u> has occurred as a result of a violation of Articles <u>13</u>, 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<u>has</u> the objective to avoid, prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article	(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 the national rules transposing Articles 19, 20, 2119(1), 19(3), 19(4), 20 (1) and 20(2) of this Directive that has been committed intentionally or negligently, Member States should ensure that the individuals affected by such violations have the right 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,		

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	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.	191(1) TFEU. They<u>It</u> 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, <u>the respect for private life and the right to healthcare</u> laid down in Articles 2, <u>3, 7 and 35</u> 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. <u>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 76/300 of 28 July 2022.</u>	prevent and reduce harmful effects on human health and the environment from air pollution, in line with Article 191(1) TFEU. They thus seeks<u>seek</u> 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<u>put</u> 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. This Directive This Directive 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. The penalties provided for in this Directive should be effective, proportionate and dissuasive.		
Recital 40a					
50a		<u>(40a) Rebuttable</u>			

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		<u>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</u>			

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		<u>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 it¹.</u> <u>1. European Court of Human Rights judgment in Fadeyeva v. Russia, 55723/00, (ECtHR, 9 June 2005), §87.</u>			
Recital 41					
51	(41) In order to ensure uniform conditions for the implementation of the Member States' requirements on transmitting information and reporting on air quality under this Directive, implementing powers should be conferred on the Commission as regards (i) the establishment of rules relating to information on ambient air quality to be made available	(41) In order to ensure uniform conditions for the implementation of the Member States' requirements on transmitting information and reporting on air quality under this Directive, implementing powers should be conferred on the Commission as regards (i) the establishment of rules relating to information on ambient air quality to be made available	(41) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission as regards further technical details for modelling applications; for determining the spatial representativeness of sampling points; on the demonstration and subtraction of		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	by Member States to the Commission as well as timescales in which that information is to be communicated and (ii) to the streamlining of the way data are reported and the reciprocal exchange of information and data from networks and individual sampling points measuring ambient air pollution within Member States. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹. ¹. OJ L 55, 28.2.2011, p. 13–18	by Member States to the Commission as well as timescales in which that information is to be communicated and (ii) to the streamlining of the way data are reported and the reciprocal exchange of information and data from networks and individual sampling points measuring ambient air pollution within Member States. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹. ¹. OJ L 55, 28.2.2011, p. 13–18	exceedances attributable to natural sources; for determination of contributions from the resuspension of particulates following winter-sanding or winter-salting; and on requirements for transmitting information and reporting on air quality the Member States' requirements on transmitting information and reporting on air quality under this Directive, implementing powers should be conferred on the Commission as regards (i) the establishment of rules relating to information on ambient air quality to be made available by Member States to the Commission as well as timescales in which that information is to be communicated and (ii) to the streamlining of the way data are reported and the reciprocal exchange of information and data from networks and individual sampling points measuring ambient air pollution within Member States. Those powers should be exercised in accordance with		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			Regulation (EU) No 182/2011 of the European Parliament and of the Council¹. ¹ OJ L 55, 28.2.2011, p. 13–18		
Recital 42					
52	(42) In order to ensure that this Directive continues meeting its objectives, in particular to avoid, prevent and reduce harmful effects from ambient air quality on human health and the environment, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the annexes to this Directive to take account of technical and scientific developments related to air pollutants, their assessment and management, their impacts on human health and the environment and to appropriate information of the public. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work,	(42) In order to ensure that this Directive continues meeting its objectives, in particular to avoid, prevent and reduce harmful effects from ambient air quality on human health and the environment, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the annexes to this Directive to take account of technical and scientific developments related to air pollutants, their assessment and management, their impacts on human health and the environment and to appropriate information of the public. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work,	(42) In order to ensure that this Directive continues meeting its objectives, in particular to avoid, prevent and reduce harmful effects from ambient air quality on human health and the environment, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union TFEU should be delegated to the Commission in respect of amending Annexes III to VII the annexes to this Directive to take account of technical and scientific developments related to air pollutants, their assessment and management; and their impacts on human health and the environment and to appropriate information of the public. It is of particular importance that the Commission carry out appropriate consultations		

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	including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 Better Law Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ¹. OJ C 321, 31.12.2003, p. 1.	including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 Better Law Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ¹. OJ C 321, 31.12.2003, p. 1.	during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 Better Law Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ¹. OJ C 321, 31.12.2003, p. 1.		

Recital 43

53	(43) The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive amendment as compared to the earlier Directives. The obligation to transpose the provisions which are unchanged arises under the earlier Directives.	(43) The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive amendment as compared to the earlier Directives. The obligation to transpose the provisions which are unchanged arises under the earlier Directives.	(43) The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive amendment as compared to the earlier Directives. The obligation to transpose the provisions which are unchanged arises under the earlier Directives.	(43) The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive amendment as compared to the earlier Directives. The obligation to transpose the provisions which are unchanged arises under the earlier Directives.	
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Commission Proposal	
Recital 44					
54	(44) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Part B of Annex X.	(44) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Part B of Annex X.	(44) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Part B of Annex X.	(44) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Part B of Annex X. Text Origin: Commission Proposal	
Recital 45					
54a			(45) Since the objective of this Directive, namely to set out air quality provisions to move the Union closer to 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, cannot be sufficiently achieved by the Member States by reason of the transboundary nature of air pollutants and can		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.		

Formula

55	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE: Text Origin: Commission Proposal	
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CHAPTER I

56	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS	CHAPTER I GENERAL PROVISIONS
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Article 1

57	Article 1 Objectives	Article 1 Objectives	Article 1 Objectives	Article 1 Objectives	Article 1 Objectives
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Article 1(1)					
58	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.	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 and <u>biodiversity</u> , as defined by <u>the best available and most up-to-date</u> scientific evidence, thus contributing to a toxic-free environment at the latest by 2050.	1. This Directive sets out air quality provisions to move the Union closer to 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.		
Article 1(2)					
59	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.	2. This Directive sets intermediate limit values, target values, average exposure reduction obligations, average exposure concentration objectives, and critical levels, information thresholds, alert thresholds and long-term objectives <u>('air quality standards') to be met as soon as possible and by the year 2030 at the latest, as well as limit values</u> to be met by the year 2030, and <u>2035, which are to be</u> regularly reviewed	2. This Directive sets intermediate lays down 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') with the aim of providing a staged approach to improve air quality . These air quality standards set out in Annex I shall be to be met by the year 2030, and regularly		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		thereafter in accordance with Article 3. <u>It also sets long-term objectives, information thresholds and alert thresholds as part of air quality standards.</u>	reviewed thereafter in accordance with Article 3 to move the Union closer to the zero pollution objective.		
Article 1(3)					
60	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 Council¹. 1. 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).	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 Council¹, <u>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.</u> 1. 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).	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 Council¹. 1. 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).		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 Council¹, as well as to enhanced synergies between the Union's air quality policy and other relevant Union policies. 1. 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). EP proposal at ITM 7/12/2023
Article 2					
61					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	Article 2 Subject matter	Article 2 Subject matter	Article 2 Subject matter	Article 2 Subject matter Text Origin: Commission Proposal	
Article 2, first paragraph					
62	This Directive lays down the following measures :	This Directive lays down the following measures :	This Directive lays down provisions related to the following measures :	This Directive lays down <u>provisions related to</u> the following measures : Text Origin: Council Mandate	Lawyer-linguist check needed
Article 2, first paragraph, point (1)					
63	1. measures defining and establishing objectives for ambient air quality designed to avoid, prevent or reduce harmful effects on human health and the environment ;	1. measures defining and establishing objectives for ambient air quality designed to avoid, prevent or reduce harmful effects on human health and the environment ;	1. measures defining and establishing objectives for ambient air quality designed to avoid, prevent or reduce harmful effects on human health and the environment-;	1. measures defining and establishing objectives for ambient air quality designed to avoid, prevent or reduce harmful effects on human health and the environment-; Text Origin: Council Mandate	
Article 2, first paragraph, point (2)					
64	2. measures setting common methods and criteria to assess the ambient air quality in Member States ;	2. measures setting common methods and criteria to assess the ambient air quality in Member States ;	2. measures setting common methods and criteria to assess the ambient air quality in Member States-;	2. measures setting common methods and criteria to assess the ambient air quality in Member States-; Text Origin: Council Mandate	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	Article 2, first paragraph, point (3)				
G	65	3. measures for monitoring ambient air quality long-term trends and impacts of Union and national measures on ambient air quality ;	3. measures for monitoring monitoring current ambient air quality and long-term trends as well as and impacts of— Union and national— measures— on ambient air quality—;	3. measures for monitoring monitoring current ambient air quality and long-term trends as well as and impacts of— Union and national— measures— on ambient air quality—; Text Origin: Council Mandate	
	Article 2, first paragraph, point (4)				
Y	66	4. measures ensuring that the information on ambient air quality is made available to the public;	4. measures ensuring that the the information on ambient air quality is made available to the public;	4. measures ensuring that the the information on ambient air quality is comparable across the Union and made available to the public;	Wording discussed at ITM on 7/12/2023
	Article 2, first paragraph, point (5)				
G	67	5. measures maintaining air quality where it is good and improving it in other cases;	5. measures maintaining air quality where it is good and improving it in other cases;	5. measures maintaining air quality where it is good and improving it in other cases; Text Origin: Council Mandate	
	Article 2, first paragraph, point (6)				
Y	68				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	6. measures promoting increased cooperation between Member States in reducing air pollution.	6. measures promoting increased cooperation between Member States , <u>regional and local authorities, within and between Member States, as well as with third countries that have a common border with the Union</u> , in reducing air pollution.	6. measures promoting increased cooperation between Member States in reducing air pollution.	6. measures promoting increased cooperation between Member States <u>and their competent authorities and bodies</u> in reducing air pollution.	Wording tentatively agreed at ITM on 7 December 2023.
Article 3					
69	Article 3 Regular review	Article 3 Regular review	Article 3 Regular review	Article 3 Regular review Text Origin: Commission Proposal	
Article 3(1)					
70	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.	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. <u>The review</u>	1. By 31 December 2028, and every 5 years 2030, and as frequently as necessary 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		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>shall be carried out without undue delay following the publication of the latest WHO Air Quality Guidelines.</u>	European Parliament and to the Council.		
Article 3(2), first subparagraph					
71	2. The review shall assess whether applicable air quality standards are still appropriate to achieve the objective of avoiding, preventing or reducing harmful effects on human health and the environment and whether additional air pollutants should be covered.	2. The review shall assess whether applicable air quality standards are still appropriate to achieve the objective of avoiding, preventing or reducing harmful effects on human health and the environment and whether additional air pollutants should be covered.	2. The review shall assess whether applicable air quality standards are still appropriate to achieve the objective of avoiding, preventing or reducing harmful effects on human health and the environment and whether additional air pollutants should be covered or whether additional postponement of attainment deadlines or adjustments to transboundary air provisions should be considered.		
Article 3(2), second subparagraph					
72	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	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 <u>full and continuous</u> alignment with the <u>most up-to-date</u> World	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 taking into account ensuring alignment with the World Health Organization		EP could drop reference to WHO Regional Office pending agreement on a recital on cooperation with the WHO.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	Guidelines and the latest scientific information.	Health Organization (WHO) Air Quality Guidelines, <u>the most recent review by the WHO Regional Office for Europe</u> and the latest scientific information.	(WHO) Air Quality Guidelines and the latest scientific information.		
Article 3(2), third subparagraph					
G	73	For the purposes of the review, the Commission shall take into account, inter alia, the following:	For the purposes of the review, the Commission shall take into account, inter alia, the following:	For the purposes of the review, the Commission shall take into account, inter alia, the following: Text Origin: Commission Proposal	
Article 3(2), third subparagraph, point (a)					
Y	74	(a) latest scientific information from WHO and other relevant organisations,	(a) latest scientific information from <u>relevant Union bodies</u> , WHO and other relevant <u>scientific</u> organisations,	(a) latest scientific information from <u>relevant Union bodies, international organisations, such as WHO and the UNECE Convention on Long-range Transboundary Air Pollution, and</u> other relevant <u>scientific</u> organisations, Text Origin: Council Mandate	Wording discussed on 27/11 ITM 27.11.2023
Article 3(2), third subparagraph, point (b)					
Y	75	(b) technological developments impacting air	(b) <u>behavioural changes, fiscal policies and</u>	(b) technological developments impacting air	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	quality and its assessment,	technological developments impacting air quality and its assessment,	quality and its assessment,		
Article 3(2), third subparagraph, point (c)					
76	(c) air quality situations and associated impacts on human health and the environment in Member States,	(c) air quality situations and associated impacts on human health and the environment in Member States,	(c) air quality situations and associated impacts on human health and the environment, including the effects of ozone on ecosystems, as well as the nature and socio-economic impacts of complementary actions to be implemented to achieve new objectives in Member States,		27/11: Council to reflect on wording and come back with a proposal for merged wording (cf. also row 76a) ITM 7/12/2023: EP can drop deletion of "situations" ITM 27.11.2023
Article 3(2), third subparagraph, point (ca)					
76a		<u>(ca) direct and indirect healthcare and environmental costs associated with air pollution as well as cost-benefit analysis.</u>			
Article 3(2), third subparagraph, point (d)					
77	(d) progress made in implementing national and Union reduction measures for pollutants and improving air quality.	(d) progress made in implementing national and Union reduction measures for pollutants and improving air quality.	(d) progress made in implementing national and Union reduction measures for pollutants and improving air quality.	(d) progress made in implementing national and Union reduction measures for pollutants and improving air quality.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Commission Proposal	
	Article 3(2), third subparagraph, point (da)				
y	77a	<u>(da) progress made in implementing other relevant Union legislation, in particular in the field of climate, transport and energy.</u>	(e) relevant source legislation at Union level for sectors and activities that contribute to air pollution,	<u>(da) relevant source legislation at Union level for sectors and activities that contribute to air pollution, including progress made in implementing such legislation.</u>	Council to double-check wording ITM 27.11.2023
	Article 3(2), third subparagraph, point (db)				
y	77b	<u>(db) introduction by individual Member States of more stringent air quality standards in accordance with Article 193 TFEU.</u>	(f) relevant information submitted for this purpose to the Commission by the Member States.		ITM 7/12/2023: EP suggests to keep both (db) and (f)
	Article 3(2), third subparagraph, point (dc)				
y	77c	<u>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.</u>			IM 7/12/2023: EP can drop reference to WHO Regional Office subject to recital.
	Article 3(2a)				
	77d				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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.</u>			
Article 3(3)					
78	3. The European Environment Agency shall assist the Commission in carrying out the review.	3. The European Environment Agency shall assist the Commission in carrying out the review.	3. The European Environment Agency shall assist the Commission in carrying out the review.	3. The European Environment Agency shall assist the Commission in carrying out the review. Text Origin: Commission Proposal	
Article 3(4)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
79	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.	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. <u>Such a proposal shall be developed in line with the non-regression principle.</u>	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. Furthermore, where the Commission deems it necessary, it shall also present proposals to introduce or revise any relevant source legislation in order to contribute to achieving the proposed revised air quality standards at Union level.		ITM 7/12/2023: EP could agree to addition of Council text in addition to its amendment.
Article 3(5)					
79a			5. If during the review the Commission identifies that further measures are needed to achieve applicable air quality standards in a significant area of the Union territory, the Commission may propose further action to be taken at Union level.		
Article 4					
80	Article 4 Definitions	Article 4 Definitions	Article 4 Definitions	Article 4 Definitions	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Commission Proposal	
Article 4, first paragraph					
81	For the purposes of this Directive , the following definitions apply :	For the purposes of this Directive , the following definitions apply :	For the purposes of this Directive , the following definitions apply :	For the purposes of this Directive , the following definitions apply : Text Origin: Commission Proposal	
Article 4, first paragraph, point (1)					
82	(1) ‘ambient air’ means outdoor air in the troposphere, excluding workplaces as defined in Article 2 of Council Directive 89/654/EEC¹ where provisions concerning health and safety at work apply and to which members of the public do not have regular access; ¹. Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ L 393, 30.12.1989, p. 1). Directive as amended by Directive 2007/30/EC of the European Parliament and of the Council (OJ L 165, 27.6.2007, p. 21).	(1) ‘ambient air’ means outdoor air in the troposphere, excluding workplaces as defined in Article 2 of Council Directive 89/654/EEC¹ where provisions concerning health and safety at work apply and to which members of the public do not have regular access; ¹. Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ L 393, 30.12.1989, p. 1). Directive as amended by Directive 2007/30/EC of the European Parliament and of the Council (OJ L 165, 27.6.2007, p. 21).	(1) ‘ambient air’ means outdoor air in the troposphere, excluding workplaces as defined in Article 2 of Council Directive 89/654/EEC¹ where provisions concerning health and safety at work apply and to which members of the public do not have regular access; ¹. Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ L 393, 30.12.1989, p. 1). Directive as amended by Directive 2007/30/EC of the European Parliament and of the Council (OJ L 165, 27.6.2007, p. 21).	(1) ‘ambient air’ means outdoor air in the troposphere, excluding workplaces as defined in Article 2 of Council Directive 89/654/EEC¹ where provisions concerning health and safety at work apply and to which members of the public do not have regular access; ¹. Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ L 393, 30.12.1989, p. 1). Directive as amended by Directive 2007/30/EC of the European Parliament and of the Council (OJ L 165, 27.6.2007, p. 21).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Commission Proposal	
Article 4, first paragraph, point (1a)					
82a		<u>(1a) ‘air quality standards’ means limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds and alert thresholds;</u>		<u>(1a) ‘air quality standards’ means limit values, target values, average exposure reduction obligations, average exposure concentration objectives, critical levels, information thresholds, alert thresholds and long-term objectives;</u>	Wording discussed at ITM 7/12/2023. To be checked
Article 4, first paragraph, point (2)					
83	(2) ‘pollutant’ means any substance present in ambient air and likely to have harmful effects on human health or the environment ;	(2) ‘pollutant’ means any substance present in ambient air and likely to have harmful effects on human health or the environment ;	(2) ‘pollutant’ means any substance present in ambient air and likely to have harmful effects on human health or the environment ;	(2) ‘pollutant’ means any substance present in ambient air and likely to have harmful effects on human health or the environment ; Text Origin: Commission Proposal	
Article 4, first paragraph, point (3)					
84	(3) ‘level’ means the concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time;	(3) ‘level’ means the concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time;	(3) ‘level’ means the concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time;	(3) ‘level’ means the concentration of a pollutant in ambient air or the deposition thereof on surfaces in a given time; Text Origin: Commission Proposal	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Article 4, first paragraph, point (4)					
85	(4) ‘total deposition’ means the total mass of pollutants which is transferred from the atmosphere to surfaces , such as soil, vegetation, water, buildings, in a given area within a given time;	(4) ‘total deposition’ means the total mass of pollutants which is transferred from the atmosphere to surfaces , such as soil, vegetation, water, buildings, in a given area within a given time;	(4) ‘total deposition’ means the total mass of pollutants which is transferred from the atmosphere to surfaces , such as soil, vegetation, water, buildings, in a given area within a given time;	(4) ‘total deposition’ means the total mass of pollutants which is transferred from the atmosphere to surfaces , such as soil, vegetation, water, buildings, in a given area within a given time; Text Origin: Commission Proposal	
Article 4, first paragraph, point (5)					
86	(5) ‘PM ₁₀ ’ means particulate matter which passes through a size-selective inlet as defined in the reference method for the sampling and measurement of PM ₁₀ , EN 12341, with a 50 % efficiency cut-off at 10 µm aerodynamic diameter;	(5) ‘PM ₁₀ ’ means particulate matter which passes through a size-selective inlet as defined in the reference method for the sampling and measurement of PM ₁₀ , EN 12341, with a 50 % efficiency cut-off at 10 µm aerodynamic diameter;	(5) ‘PM ₁₀ ’ means particulate matter which passes through a size-selective inlet as defined in the reference method for the sampling and measurement of PM ₁₀ , EN 12341, with a 50 % efficiency cut-off at 10 µm aerodynamic diameter;	(5) ‘PM ₁₀ ’ means particulate matter which passes through a size-selective inlet as defined in the reference method for the sampling and measurement of PM ₁₀ , EN 12341, with a 50 % efficiency cut-off at 10 µm aerodynamic diameter; Text Origin: Commission Proposal	
Article 4, first paragraph, point (6)					
87	(6) ‘PM _{2.5} ’ means particulate matter which passes through a size-selective inlet as defined in	(6) ‘PM _{2.5} ’ means particulate matter which passes through a size-selective inlet as defined in	(6) ‘PM _{2.5} ’— means particulate matter which passes through a size-selective inlet as defined in	(6) ‘PM _{2.5} ’— means particulate matter which passes through a size-selective inlet as defined in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	the reference method for the sampling and measurement of PM _{2.5} , EN 14907, with a 50 % efficiency cut-off at 2,5 µm aerodynamic diameter;	the reference method for the sampling and measurement of PM _{2.5} , EN 14907, with a 50 % efficiency cut-off at 2,5 µm aerodynamic diameter;	the reference method for the sampling and measurement of PM _{2.5} , EN 14907 12341 , with a 50 % efficiency cut-off at 2,5 µm aerodynamic diameter;	the reference method for the sampling and measurement of PM _{2.5} , EN 14907 12341 , with a 50 % efficiency cut-off at 2,5 µm aerodynamic diameter; ITM 27.11.2023 Text Origin: Council Mandate	
Article 4, first paragraph, point (7)					
88	(7) ‘oxides of nitrogen’ means the sum of the volume mixing ratio (ppbv) of nitrogen monoxide (nitric oxide) and nitrogen dioxide expressed in units of mass concentration of nitrogen dioxide (µg/m ³);	(7) ‘oxides of nitrogen’ means the sum of the volume mixing ratio (ppbv) of nitrogen monoxide (nitric oxide) and nitrogen dioxide expressed in units of mass concentration of nitrogen dioxide (µg/m ³);	(7) ‘oxides of nitrogen’ means the sum of the volume mixing ratio (ppbv) of nitrogen monoxide (nitric oxide) and nitrogen dioxide expressed in units of mass concentration of nitrogen dioxide (µg/m ³);	(7) ‘oxides of nitrogen’ means the sum of the volume mixing ratio (ppbv) of nitrogen monoxide (nitric oxide) and nitrogen dioxide expressed in units of mass concentration of nitrogen dioxide (µg/m ³); Text Origin: Commission Proposal	
Article 4, first paragraph, point (8)					
89	(8) ‘arsenic’, ‘cadmium’, ‘nickel’ and ‘benzo(a)pyrene’ mean the total content of these elements and compounds in the PM ₁₀ fraction;	(8) ‘arsenic’, ‘cadmium’, ‘nickel’ and ‘benzo(a)pyrene’ mean the total content of these elements and compounds in the PM ₁₀ fraction;	(8) ‘arsenic’, ‘cadmium’, ‘ lead ’, ‘nickel’ and ‘benzo(a)pyrene’ mean the total content of these elements and compounds in the PM ₁₀ fraction;	(8) ‘arsenic’, ‘cadmium’, ‘ lead ’, ‘nickel’ and ‘benzo(a)pyrene’ mean the total content of these elements and compounds in the PM ₁₀ fraction; ITM 27.11.2023	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Council Mandate	
Article 4, first paragraph, point (9)					
90	(9) ‘polycyclic aromatic hydrocarbons’ means those organic compounds, composed of at least two fused aromatic rings made entirely from carbon and hydrogen;	(9) ‘polycyclic aromatic hydrocarbons’ means those organic compounds, composed of at least two fused aromatic rings made entirely from carbon and hydrogen;	(9) ‘polycyclic aromatic hydrocarbons’ means those organic compounds, composed of at least two fused aromatic rings made entirely from carbon and hydrogen;	(9) ‘polycyclic aromatic hydrocarbons’ means those organic compounds, composed of at least two fused aromatic rings made entirely from carbon and hydrogen; Text Origin: Commission Proposal	
Article 4, first paragraph, point (10)					
91	(10) ‘total gaseous mercury’ means elemental mercury vapour (Hg ⁰) and reactive gaseous mercury, i.e. water-soluble mercury species with sufficiently high vapour pressure to exist in the gas phase;	(10) ‘total gaseous mercury’ means elemental mercury vapour (Hg ⁰) and reactive gaseous mercury, i.e. water-soluble mercury species with sufficiently high vapour pressure to exist in the gas phase;	(10) ‘total gaseous mercury’ means elemental mercury vapour (Hg ⁰) and reactive gaseous mercury, i.e. water-soluble mercury species with sufficiently high vapour pressure to exist in the gas phase;	(10) ‘total gaseous mercury’ means elemental mercury vapour (Hg ⁰) and reactive gaseous mercury, i.e. water-soluble mercury species with sufficiently high vapour pressure to exist in the gas phase; Text Origin: Commission Proposal	
Article 4, first paragraph, point (11)					
92	(11) ‘volatile organic compounds’ (VOC) means organic compounds from anthropogenic and biogenic	(11) ‘volatile organic compounds’ (VOC) means organic compounds from anthropogenic and biogenic	(11) ‘volatile organic compounds’ (VOC)— means organic compounds from anthropogenic and biogenic	(11) ‘volatile organic compounds’ (VOC) means organic compounds from anthropogenic and biogenic	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	sources, other than methane, that are capable of producing photochemical oxidants by reactions with nitrogen oxides in the presence of sunlight;	sources, other than methane, that are capable of producing photochemical oxidants by reactions with nitrogen oxides in the presence of sunlight;	sources, other than methane, that are capable of producing photochemical oxidants by reactions with nitrogen oxides in the presence of sunlight;	sources, other than methane, that are capable of producing photochemical oxidants by reactions with nitrogen oxides in the presence of sunlight; Text Origin: Commission Proposal	
Article 4, first paragraph, point (12)					
93	(12) ‘ozone precursor substances’ means substances which contribute to the formation of ground-level ozone;	(12) ‘ozone precursor substances’ means substances which contribute to the formation of ground-level ozone;	(12) ‘ozone precursor substances’ means substances which contribute to the formation of ground-level ozone;	(12) ‘ozone precursor substances’ means substances which contribute to the formation of ground-level ozone; Text Origin: Commission Proposal	
Article 4, first paragraph, point (13)					
94	(13) “black carbon” (BC) means equivalent black carbon (eBC) derived from optical methods.	(13) “black carbon” (BC) means equivalent black carbon (eBC) derived from optical methods.	(13) “black carbon” (BC) means carbonaceous aerosol measured by light absorption ; equivalent black carbon (eBC) derived from optical methods.	(13) “black carbon” (BC) means <u>carbonaceous aerosol measured by light absorption</u> ; equivalent black carbon (eBC) derived from optical methods. ITM 27.11.2023 Text Origin: Council Mandate	
Article 4, first paragraph, point (14)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
95	(14) “ultrafine particles” (UFP) means the particle number concentrations in cm ³ for a size range with a lower limit of ≤ 10 nm and for a size range with no restriction on the upper limit.	(14) “ultrafine particles” (UFP) means the particle number concentrations in cm ³ for a size range with a lower limit of ≤ 10 nm and for a size range with no restriction on the upper limit.	(14) ““ultrafine particles” (UFP) means particles with a diameter less than or equal to 100 nm; UFP are measured as the particle number concentrations in cm³ per cubic centimetre (cm³) for a size range with a lower limit of ≤ [symbol deleted] 10 nm and for a size range with no restriction on the upper limit-;	(14) ““ultrafine particles” (UFP) means <u>particles with a diameter less than or equal to 100 nm, where UFP are measured as</u> the particle number concentrations in cm³ per cubic centimetre (cm³) for a size range with a lower limit of ≤ <u>[symbol deleted]</u> 10 nm and for a size range with no restriction on the upper limit-;	Council to double-check proposed rewording ITM 27.11.2023
Article 4, first paragraph, point (15)					
96	(15) ‘zone’ means part of the territory of a Member State, as delimited by that Member State for the purposes of air quality assessment and management;	(15) ‘zone’ means part of the territory of a Member State, as delimited by that Member State for the purposes of air quality assessment and management;	(15) ‘zone’ means part of the territory of a Member State, as delimited by that Member State for the purposes of air quality assessment and management;	(15) ‘zone’ means part of the territory of a Member State, as delimited by that Member State for the purposes of air quality assessment and management; Text Origin: Commission Proposal	
Article 4, first paragraph, point (16)					
97	(16) ‘agglomeration’ means a conurbation with a population in excess of 250 000 inhabitants or, where the population is 250 000 inhabitants or fewer , with	(16) ‘agglomeration’ means a conurbation with a population in excess of 250 000 inhabitants or, where the population is 250 000 inhabitants or fewer , with	(16) ‘agglomeration’ means a conurbation with a population in excess of 250 000 inhabitants or, where the population is 250 000 inhabitants or fewer , with	(16) ‘agglomeration’ means a conurbation with a population in excess of 250 000 inhabitants or, where the population is 250 000 inhabitants or fewer , with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	a given population density per km ² to be established by the Member States;	a given population density per km ² to be established by the Member States;	a given population density per km ² to be established by the Member States;	a given population density per km ² to be established by the Member States; Text Origin: Commission Proposal	
Article 4, first paragraph, point (17)					
98	(17) ‘assessment’ means any method used to measure, calculate, predict or estimate levels;	(17) ‘assessment’ means any method used to measure, calculate, predict or estimate levels;	(17) ‘assessment’ means any method used to measure, calculate, predict or estimate levels;	(17) ‘assessment’ means any method used to measure, calculate, predict or estimate levels; Text Origin: Commission Proposal	
Article 4, first paragraph, point (18)					
99	(18) ‘assessment threshold’ means the level that determines the required assessment regime to be used to assess ambient air quality;	(18) ‘assessment threshold’ means the level that determines the required assessment regime to be used to assess ambient air quality;	(18) ‘assessment threshold’ means the level that determines the required assessment regime to be used to assess ambient air quality;	(18) ‘assessment threshold’ means the level that determines the required assessment regime to be used to assess ambient air quality; Text Origin: Commission Proposal	
Article 4, first paragraph, point (19)					
100	(19) ‘fixed measurements’ means measurements taken at sampling points , either continuously or by random sampling, at constant	(19) ‘fixed measurements’ means measurements taken at sampling points , either continuously or by random sampling, at constant	(19) ‘fixed measurements’ means measurements taken at sampling points , either continuously or by random sampling, at constant	(19) ‘fixed measurements’ means measurements taken at sampling points , either continuously or by random sampling, at constant	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	locations for at least 1 calendar year to determine the levels in accordance with the relevant data quality objectives;	locations for at least 1 calendar year to determine the levels in accordance with the relevant data quality objectives;	locations for at least 1 calendar year to determine the levels in accordance with the relevant data quality objectives;	locations for at least 1 calendar year to determine the levels in accordance with the relevant data quality objectives; Text Origin: Commission Proposal	
Article 4, first paragraph, point (20)					
101	(20) 'indicative measurements' means measurements which meet data quality objectives that are less strict than those required for fixed measurements;	(20) 'indicative measurements' means measurements which meet data quality objectives that are less strict than those required for fixed measurements;	(20) 'indicative measurements' — means measurements which meet, taken either at regular intervals during a calendar year or by random sampling, to determine the levels in accordance with data quality objectives that are less strict than those required for fixed measurements;	(20) 'indicative measurements' — means measurements which meet, <u>taken either at regular intervals during a calendar year or by random sampling, to determine the levels in accordance with</u> data quality objectives that are less strict than those required for fixed measurements; Text Origin: Council Mandate	ITM 7/12/2023
Article 4, first paragraph, point (21)					
102	(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	<i>deleted</i>	(21) 'objective estimation' means an assessment method to obtain quantitative or qualitative information on the concentration or deposition level of a specific pollutant obtained through expert judgement;	(21) 'objective estimation' means an assessment method to obtain quantitative or qualitative information on the concentration or deposition level of a <u>specific</u> pollutant <u>obtained</u> through expert judgement;	EP to reflect on deletion of "objective estimation" ITM 27.11.2023

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	include use of statistical tools, remote sensing, and in-situ sensors;		which analysis and may include use of statistical tools, remote sensing, and in-situ sensors;	which <u>analysis and</u> may include use of statistical tools, remote sensing, and in-situ sensors; Text Origin: Council Mandate	
Article 4, first paragraph, point (21a)					
102a			(21a) ‘modelling application’ means application of a modelling system; the modelling system is a chain of models and sub-models, including all necessary input data, and any post-processing;	<u>(21a) ‘modelling application’ means application of a modelling system, understood as a chain of models and sub-models, including all necessary input data, and any post-processing;</u> Text Origin: Council Mandate	ITM 27.11.2023
Article 4, first paragraph, point (22)					
103	(22) ‘spatial representativeness’ means an assessment approach whereby the air quality metrics observed at a sampling point are representative for an explicitly delineated geographical area to the extent that air quality metrics within that area do not differ from the metrics	(22) ‘spatial representativeness’ means an assessment approach whereby the air quality metrics observed at a sampling point are representative for an explicitly delineated geographical area to the extent that air quality metrics within that area do not differ from the metrics	(22) ‘spatial representativeness’ means an assessment approach whereby the air quality metrics observed at a sampling point are representative for an explicitly delineated geographical area to the extent that air quality metrics within that area do not differ from the metrics	(22) ‘spatial representativeness’ means an assessment approach whereby the air quality metrics observed at a sampling point are representative for an explicitly delineated geographical area to the extent that air quality metrics within that area do not differ from the metrics	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	observed at the sampling point by more than a pre-defined tolerance level;	observed at the sampling point by more than a pre-defined tolerance level;	observed at the sampling point by more than a pre-defined tolerance level;	observed at the sampling point by more than a pre-defined tolerance level; Text Origin: Commission Proposal	
Article 4, first paragraph, point (23)					
104	(23) ‘urban background locations’ means places in urban areas where levels are representative of the exposure of the general urban population;	(23) -‘urban background locations’—means—places in urban areas where levels are representative of the exposure of the general urban population, <u>including urban sensitive population and vulnerable groups</u> ;	(23) -‘urban background locations’— means— places in urban and suburban areas where levels are representative of the exposure of the general urban population;	(23) -‘urban background locations’—means—places in urban <u>and suburban</u> areas where levels are representative of the exposure of the general urban population; Text Origin: Council Mandate	ITM 7/12/2023
Article 4, first paragraph, point (24)					
105	(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;	(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, <u>including rural sensitive population and vulnerable groups</u> ;	(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, vegetation and natural ecosystems ;	(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, <u>vegetation and natural ecosystems</u> ; Text Origin: Council Mandate	- EP agrees with Council AM - EP AM: to be maintained for now, but subject to reconsideration ITM 27.11.2023
Article 4, first paragraph, point (24a)					
105a					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>(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;</u>			
Article 4, first paragraph, point (25)					
106	(25) ‘monitoring supersite’ means a monitoring station at an urban background or rural background location that combines multiple sampling points to gather long-term data on several pollutants;	(25) ‘monitoring supersite’ means a monitoring station at an urban background or rural background location that combines multiple sampling points to gather long-term data on several pollutants;	(25) ‘monitoring supersite’ means a monitoring station at an urban background or rural background location that combines multiple sampling points to gather long-term data on several pollutants;	(25) ‘monitoring supersite’ means a monitoring station at an urban background or rural background location that combines multiple sampling points to gather long-term data on several pollutants; Text Origin: Commission Proposal	
Article 4, first paragraph, point (26)					
107	(26) ‘limit value’ means a level which is not to be exceeded and which is	(26) ‘limit value’ — means a level — which is not to be exceeded and which is	(26) ‘limit value’ means a level which is not to be exceeded and which is		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects on human health or the environment ;	fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects on human health or the environment, <u>and which is to be attained within a given period and not to be exceeded once attained</u> ;	fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects on human health or the environment ;		

Article 4, first paragraph, point (27)

108	(27) ‘ ozone target value’ means a level fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects from ozone on human health or the environment , to be complied with where possible over a given period;	(27) ‘ ozone target value’ means a level fixed on the basis of scientific knowledge, with the aim of avoiding, preventing or reducing harmful effects from ozone on human health or the environment , to be complied with where possible over a given period;	(27) ‘ ozone target value’ means– a level fixed– on the basis of scientific knowledge,– with the aim of avoiding, preventing or reducing harmful effects from ozone on human health or the environment , to be complied with attained where possible over a given period;	(27) ‘ ozone target value’ means– a level fixed– on the basis of scientific knowledge,– with the aim of avoiding, preventing or reducing harmful effects from ozone on human health or the environment , to be complied with <u>attained</u> where possible over a given period; Text Origin: Council Mandate	- ozone: to be discussed later on ITM 27.11.2023
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Article 4, first paragraph, point (28)

109	(28) ‘average exposure indicator’ means an average level determined on the basis of measurements at urban background locations throughout the territorial	(28) ‘average exposure indicator’ means <u>an</u> average level determined on the basis of measurements at urban background locations throughout the territorial	(28) ‘average exposure indicator’– means– an average level determined on the basis of measurements at urban background locations throughout the territorial	(28) ‘average exposure indicator’ means <u>an</u> average level determined on the basis of measurements at urban background locations throughout the territorial	ITM 7/12/2023: territorial unit to be defined later
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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 unit have been met ;	unit at NUTS 1 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 ^{the} average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met ; ;	unit at NUTS 1 level as described in Regulation (EC) No 1059/2003 , average exposure territorial unit 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 the average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met ; ;	unit at NUTS 1 level as described in Regulation (EC) No 1059/2003 , average exposure territorial unit 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 ^{the} average exposure reduction obligation and the average exposure concentration objective for that territorial unit have been met ; ;	
				Text Origin: Council Mandate	
Article 4, first paragraph, point (29)					
110	(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 ¹ set for the reference year with the aim of reducing harmful effects	(29) ‘ average exposure reduction obligation ’ means a percentage reduction of the average exposure of the population , expressed as average exposure indicator, of a ^{of} of a territorial unit at NUTS 1 ² level as described in Regulation (EC) No 1059/2003 of the European Parliament and of the Council ¹ set for the reference year with the aim of reducing harmful effects	(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 ¹ of an average exposure territorial unit set for the reference year		ITM 7/12/2023 EP can accept Council text but keep EP amendment at the end.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	on human health, to be attained over a given period; 1. 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).	on human health, to be attained—over a given period <u>and not to be exceeded once attained</u>; 1. 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).	with the aim of reducing harmful effects on human health, to be attained— over a given period; 1. 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).		
Article 4, first paragraph, point (29a)					
110a			(29a) ‘average exposure territorial unit’ means a territorial unit at NUTS 1 level or a part thereof as described in Regulation (EC) No 1059/2003 of the European Parliament and of the Council, used to determine the average exposure indicator, or where the average exposure indicator in a NUTS 1 territorial unit is shown to be influenced by other NUTS 1 territorial units within a Member State, a larger territorial unit covering the related units, provided that it is below the NUTS 0 unit for that Member State;		
Article 4, first paragraph, point (30)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
111	(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 ;	(30) ‘ average exposure concentration objective ’ means a level of the average exposure indicator to be attained , <u>set</u> with the aim of reducing harmful effects on human health, <u>to be attained within a given period and not to be exceeded once attained</u> ;	(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 ;		Linked to discussion on definition of "limit value" - further reflection needed ITM 27.11.2023

Article 4, first paragraph, point (31)

112	(31) ‘critical level’ means a level above which direct adverse effects may occur on some receptors, such as trees, other plants or natural ecosystems but not on humans;	(31) ‘critical level’ means a level above which direct adverse effects may occur on some receptors, such as trees, other plants or natural ecosystems but not on humans;	(31) ‘critical level’ means a level above which direct adverse effects may occur on some receptors, such as trees, other plants or natural ecosystems but not on humans;	(31) ‘critical level’ means a level above which direct adverse effects may occur on some receptors, such as trees, other plants or natural ecosystems but not on humans; Text Origin: Commission Proposal	
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Article 4, first paragraph, point (32)

113	(32) ‘information threshold’ means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;	(32) ‘information threshold’ means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;	(32) ‘information threshold’ means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;	(32) ‘information threshold’ means a level beyond which there is a risk to human health from brief exposure for particularly sensitive population and vulnerable groups and for which immediate and appropriate information is necessary;	
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Commission Proposal	
Article 4, first paragraph, point (33)					
114	(33) ‘alert threshold’ means a level beyond which there is a risk to human health from brief exposure for the population as a whole and at which immediate steps are to be taken by Member States;	(33) ‘alert threshold’ means a level beyond which there is a risk to human health from brief exposure for the population as a whole and at which immediate steps are to be taken by Member States;	(33) ‘alert threshold’ means a level beyond which there is a risk to human health from brief exposure for the population as a whole and at which immediate steps are to be taken by Member States;	(33) ‘alert threshold’ means a level beyond which there is a risk to human health from brief exposure for the population as a whole and at which immediate steps are to be taken by Member States; Text Origin: Commission Proposal	
Article 4, first paragraph, point (34)					
115	(34) ‘long-term objective’ means a level to be attained in the long-term, save where not achievable through proportionate measures, with the aim of providing effective protection of human health and the environment;	(34) ‘long-term objective’ means a level to be attained in the long-term, save where not achievable through proportionate measures, with the aim of providing effective protection of human health and the environment;	(34) ‘long-term objective’ means a level to be attained in the long-term, save where not achievable through proportionate measures, with the aim of providing effective protection of human health and the environment;	(34) ‘long-term objective’ means a level to be attained in the long-term, save where not achievable through proportionate measures, with the aim of providing effective protection of human health and the environment; Text Origin: Commission Proposal	
Article 4, first paragraph, point (35)					
116	(35) ‘contributions from	(35) ‘contributions from	(35) ‘contributions from		For future discussion

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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;	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, <u>which the Member State concerned could not have prevented or mitigated by policy actions</u> ;	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;		(separate cluster) ITM 27.11.2023
Article 4, first paragraph, point (35a)					
116a		<u>(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;</u>			To be discussed in the context of Article 19 ITM 27.11.2023
Article 4, first paragraph, point (36)					
117					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	(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 ;	(36) ‘air quality plans’ means plans plans that set out measures in order to comply with limit limit values, ozone target values or average exposure reduction obligations once these have been exceeded ;	(36) ‘air quality plans’ means plans plans that set out measures in order to comply with limit limit values, ozone target values or average exposure reduction obligations;		To be discussed in the context of Article 19 ITM 27.11.2023
Article 4, first paragraph, point (37)					
118	(37) ‘short-term action plans’ means plans that set out emergency measures to be taken in the short term to reduce the immediate risk or the duration of the exceedance of the alert thresholds;	(37) ‘short-term action plans’ means plans that set out emergency measures to be taken in the short term to reduce the immediate risk or the duration of the exceedance of the alert thresholds;	(37) ‘short-term action plans’ means plans that set out emergency measures to be taken in the short term to reduce the immediate risk or the duration of the exceedance of the alert thresholds;	(37) ‘short-term action plans’ means plans that set out emergency measures to be taken in the short term to reduce the immediate risk or the duration of the exceedance of the alert thresholds; Text Origin: Commission Proposal	
Article 4, first paragraph, point (38)					
119	(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	(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	(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 implementation of the obligations laid down		To be discussed later on; link with the "Access to justice" provisions ITM 27.11.2023

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	promoting the protection of human health or the environment and meeting any requirements under national law;	promoting the protection of human health or the environment and meeting any requirements under national law ;	in Articles 19 and 20; for the purposes of this definition, including non-governmental organisations promoting the protection of human health or the environment and meeting any requirements under national law shall be deemed to have an interest;		
Article 4, first paragraph, point (39)					
120	(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.	(39) ‘sensitive population and vulnerable groups’ means those population groups that are <u>permanently or temporarily more sensitive or</u> more vulnerable to <u>the effects of</u> air pollution exposure than the average population, <u>because of specific characteristics that make the health consequences of exposure more significant or</u> because they have a higher sensitivity or a lower threshold for health effects or have a reduced ability to protect themselves.	(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-;		ITM 7/12/2023: EP maintains amendment. Possible extension of definition to "at risk communities" to be further discussed.
Article 4, first paragraph, point (40)					
120a			(40) ‘oxidative potential of particulate matter’ means	<u>(40) ‘oxidative potential of particulate matter’ means a</u>	ITM 1.12.2023: COM suggests to consider deleting "in abiotic assays"; Council to double-

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			a measure of the capacity of particulate matter to oxidize potential target molecules in abiotic assays.	<u>measure of the capacity of particulate matter to oxidize potential target molecules.</u> Text Origin: Council Mandate	check if this is ok ITM 27.11.2023
Article 5					
121	Article 5 Responsibilities	Article 5 Responsibilities	Article 5 Responsibilities	Article 5 Responsibilities Text Origin: Commission Proposal	
Article 5, first paragraph					
122	Member States shall designate at the appropriate levels the competent authorities and bodies responsible for the following:	Member States shall designate at the appropriate levels the competent authorities and bodies responsible for the following:	Member States shall designate at the appropriate levels the competent authorities and bodies responsible for the following:	Member States shall designate at the appropriate levels the competent authorities and bodies responsible for the following: Text Origin: Commission Proposal	
Article 5, first paragraph, point (a)					
123	(a) assessment of ambient air quality;	(a) assessment of ambient air quality;	(a) assessment of ambient air quality;	(a) assessment of ambient air quality; Text Origin: Commission Proposal	(a) assessment of ambient air quality, including ensuring an adequate functioning and maintenance of the monitoring network.

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					wording to merge latter part of EP AM in row 124 as discussed at ITM 29/11/2023. Council to double-check.
Article 5, first paragraph, point (b)					
124	(b) approval of measurement systems (methods, equipment, networks and laboratories);	(b) approval of measurement systems (<u>locations</u> , methods, equipment, networks and laboratories) <u>and ensuring an adequate functioning and maintenance of the monitoring network</u> ;	(b) approval of measurement systems (methods, equipment, networks and laboratories);	(b) approval of measurement systems (methods, equipment, networks and laboratories); Text Origin: Commission Proposal	ITM 7/12/2023: pending agreement on amendment in row 123
Article 5, first paragraph, point (c)					
125	(c) ensuring the accuracy of measurements;	(c) ensuring the accuracy of measurements <u>and the transfer and sharing of measurement data, including their compliance with the data quality objectives laid down in Annex V</u> ;	(c) ensuring the accuracy of measurements;	(c) ensuring the accuracy of measurements <u>and the transfer and sharing of measurement data</u> ;	wording discussed at ITM on 29/11/2023. To be double-checked by Council.
Article 5, first paragraph, point (d)					
126	(d) ensuring the accuracy of modelling applications;	(d) ensuring the accuracy of <u>air quality</u> modelling applications;	(d) ensuring promoting the accuracy of modelling applications;	(d) ensuring promoting the accuracy of modelling applications; Text Origin: Council Mandate	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	Article 5, first paragraph, point (e)				
127	(e) analysis of assessment methods;	(e) analysis of assessment methods;	(e) analysis of assessment methods;	(e) analysis of assessment methods; Text Origin: Commission Proposal	
	Article 5, first paragraph, point (f)				
128	(f) coordination on their territory if Union-wide quality assurance programmes are being organised by the Commission;	(f) coordination on their territory if Union-wide quality assurance programmes are being organised by the Commission;	(f) coordination on their territory if Union-wide quality assurance programmes are being organised by the Commission;	(f) coordination on their territory if Union-wide quality assurance programmes are being organised by the Commission; Text Origin: Commission Proposal	
	Article 5, first paragraph, point (g)				
129	(g) cooperation with the other Member States and the Commission;	(g) cooperation with the other Member States, <u>third countries</u> and the Commission;	(g) cooperation with the other Member States and the Commission, including on transboundary air pollution ;	(g) cooperation with the other Member States and the Commission, <u>including on transboundary air pollution</u> ; Text Origin: Council Mandate	ITM 7/12//2023
	Article 5, first paragraph, point (h)				
130	(h) establishment of air quality plans;	(h) establishment of air quality plans <u>and air quality</u>	(h) establishment of air quality plans;		to be discussed in connection

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		<u>roadmaps</u> ;			with Art. 19
Article 5, first paragraph, point (i)					
G	131	(i) establishment of short-term action plans.	(i) establishment of short-term action plans.	(i) establishment of short-term action plans. Text Origin: Commission Proposal	
Article 5, first paragraph, point (ia)					
Y	131a	<u>(ia) provision and maintenance of an hourly updated air quality index and other relevant public information.</u>			ITM 7/12/2023: EP maintains amendment. Council to check.
Article 6					
G	132	Article 6 Establishment of zones	Article 6 Establishment of zones	Article 6 Establishment of zones and territorial units Text Origin: Council Mandate	Article 6 Establishment of zones <u>and territorial units</u> ITM 7/12/2023
Article 6, first paragraph					
G	133	Member States shall establish zones throughout their territory , including, where appropriate for the purposes of air quality assessment and	Member States shall establish zones throughout their territory , including, where appropriate for the purposes of air quality assessment and	Member States shall establish zones– throughout their territory–, including, where appropriate for the purposes of air quality assessment and	Member States shall establish zones– throughout their territory–, including, where appropriate for the purposes of air quality assessment and ITM 7/12/2023

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	management, at the level of agglomerations . Air quality assessment and air quality management shall be carried out in all zones .	management, at the level of agglomerations . Air quality assessment and air quality management shall be carried out in all zones .	management, at the level of agglomerations–. Air quality assessment and air quality management shall be carried out in all zones and territorial units .	management, at the level of agglomerations–. Air quality assessment and air quality management shall be carried out in all zones <u>and territorial units</u> . Text Origin: Council Mandate	
CHAPTER II					
134	CHAPTER II ASSESSMENT OF AMBIENT AIR QUALITY AND DEPOSITION RATES	CHAPTER II ASSESSMENT OF AMBIENT AIR QUALITY AND DEPOSITION RATES	CHAPTER II ASSESSMENT OF AMBIENT AIR QUALITY AND DEPOSITION RATES	CHAPTER II ASSESSMENT OF AMBIENT AIR QUALITY AND DEPOSITION RATES Text Origin: Commission Proposal	
Article 7					
135	Article 7 Assessment regime	Article 7 Assessment regime	Article 7 Assessment regime	Article 7 Assessment regime Text Origin: Commission Proposal	
Article 7(1), first subparagraph					
136	1. The assessment thresholds specified in Annex II shall apply to sulphur dioxide, nitrogen dioxide and oxides of	1. The assessment thresholds specified in Annex II shall apply to sulphur dioxide, nitrogen dioxide and oxides of	1. The– assessment thresholds specified in Annex II shall apply to sulphur dioxide, nitrogen dioxide and oxides of	1. The– assessment thresholds specified in Annex II shall apply to sulphur dioxide, nitrogen dioxide and oxides of	ITM 29.11.2023

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	nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide, arsenic, cadmium, nickel, benzo(a)pyrene and ozone in ambient air .	nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide, arsenic, cadmium, nickel, benzo(a)pyrene and ozone in ambient air .	nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead , benzene, carbon monoxide, arsenic, cadmium, lead , nickel, benzo(a)pyrene and ozone in ambient air—.	nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead , benzene, <u>carbon monoxide</u> , arsenic, cadmium, <u>lead</u> , nickel, benzo(a)pyrene and ozone in ambient air—.	
Text Origin: Council Mandate					
Article 7(1), second subparagraph					
137	Each zone shall be classified in relation to those assessment thresholds.	Each zone shall be classified in relation to those assessment thresholds.	Each zone— shall be classified in relation to those assessment thresholds.	Each zone shall be classified in relation to those assessment thresholds.	
Text Origin: Commission Proposal					
Article 7(2), first subparagraph					
138	2. Member States shall review the classification referred to in paragraph 1 at least every 5 years in accordance with the procedure laid down in this paragraph . However, classifications shall be reviewed more frequently in the event of significant changes in activities emitting air pollutants and modifying the result to the ambient concentrations of sulphur dioxide, nitrogen dioxide and oxides of nitrogen,	2. Member States shall review the classification referred to in paragraph 1 at least every 5 years in accordance with the procedure laid down in this paragraph . However, classifications shall be reviewed more frequently in the event of significant changes in activities emitting air pollutants and modifying the result to the ambient concentrations of sulphur dioxide, nitrogen dioxide and oxides of nitrogen,	2. Member States shall review— the classification referred to in paragraph 1— at least every— 5 — 5 years in accordance with the procedure laid down in this paragraph— 3 . However, classifications shall be reviewed more frequently in the event of significant changes in activities emitting air pollutants and modifying the result relevant to the ambient concentrations of sulphur dioxide, nitrogen dioxide and and oxides of	2. Member States shall review— the classification referred to in paragraph 1— at least every— 5 — <u>5</u> years in accordance with the procedure laid down in this paragraph— <u>3</u> . However, classifications shall be reviewed more frequently in the event of significant changes in activities emitting air pollutants and modifying the result to <u>impacting</u> the ambient concentrations of sulphur dioxide, nitrogen dioxide and <u>and</u> oxides of	wording discussed at ITM on 29/11/2023. Council to check.

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	particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide, arsenic, cadmium, nickel, benzo(a)pyrene or ozone.	particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide, arsenic, cadmium, nickel, benzo(a)pyrene or ozone.	nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, benzene , carbon monoxide, arsenic, cadmium, lead , nickel, benzo(a)pyrene or ozone.	nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, benzene , carbon monoxide, arsenic, cadmium, lead , nickel, benzo(a)pyrene or ozone.	
Article 7(2), second subparagraph					
139	Exceedances of the assessment thresholds shall be determined on the basis of concentrations during the previous 5 years where sufficient data are available. An assessment threshold shall be deemed to have been exceeded if it has been exceeded during at least 3 separate years out of those previous 5 years.	Exceedances of the assessment thresholds shall be determined on the basis of concentrations during the previous 5 years where sufficient data are available. An assessment threshold shall be deemed to have been exceeded if it has been exceeded during at least 3 separate years out of those previous 5 years.	3. Exceedances of the the assessment thresholds shall be determined on the basis of concentrations during the previous 5 5 years where sufficient data are available. An assessment threshold shall be deemed to have been exceeded if it has been exceeded during at least 3 3 separate years out of those previous 5 5 years.	Exceedances of the the assessment thresholds shall be determined on the basis of concentrations during the previous 5 5 years where sufficient data are available. An assessment threshold shall be deemed to have been exceeded if it has been exceeded during at least 3 3 separate years out of those previous 5 5 years. Text Origin: Council Mandate	ITM 29.11.2023
Article 7(2), third subparagraph					
140	Where data are available for less than 5 years, Member States may combine measurement campaigns of short duration during the period of the year and at locations likely to be typical of the highest pollution levels, with results obtained	Where data are available for less than 5 years, Member States may combine measurement campaigns of short duration during the period of the year and at locations likely to be typical of the highest pollution levels, with results obtained	Where data than 5 data are available for less than 5 than 5 years, Member States may combine measurement campaigns of short duration during the period of the year and at locations likely to be typical of the highest pollution levels, with results	Where data than 5 data are available for less than 5 than 5 years, Member States may combine measurement campaigns of short duration during the period of the year and at locations likely to be typical of the highest pollution levels, with results	ITM 29.11.2023

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	from information from emission inventories and modelling to determine exceedances of the assessment thresholds.	from information from emission inventories and modelling to determine exceedances of the assessment thresholds.	obtained from information, from emission inventories and modelling applications to determine exceedances of the— assessment thresholds.	obtained from information, from emission inventories and modelling <u>applications</u> to determine exceedances of the— assessment thresholds. Text Origin: Council Mandate	
Article 8					
141	Article 8 Assessment criteria	Article 8 Assessment criteria	Article 8 Assessment criteria	Article 8 Assessment criteria Text Origin: Commission Proposal	
Article 8(1)					
142	1. Member States shall assess ambient air quality with respect to the pollutants referred to in Article 7 in all their zones , in accordance with the criteria laid down in paragraphs 2 to 6 of this Article and in accordance with Annex IV.	1. Member States shall assess ambient air quality with respect to the pollutants referred to in Article 7 in all their zones , in accordance with the criteria laid down in paragraphs 2 to 6 of this Article and in accordance with Annex IV.	1. Member States shall assess ambient air quality with respect to the pollutants referred to in Article 7 in all their zones , in accordance with the criteria laid down in paragraphs 2 to 6 of this Article and in accordance with Annex IV.	1. Member States shall assess ambient air quality with respect to the pollutants referred to in Article 7 in all their zones , in accordance with the criteria laid down in paragraphs 2 to 6 of this Article and in accordance with Annex IV. Text Origin: Commission Proposal	
Article 8(2)					
143	2. In all zones where the level of pollutants exceeds	2. In all zones where the level of pollutants exceeds	2. In all zones—where the level of pollutants—exceeds	2. In all zones— where the level of pollutants—exceeds	ITM 7/12/2023

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	the assessment threshold established for those pollutants, fixed measurements shall be used to assess the ambient air quality. Those fixed measurements may be supplemented by modelling applications and indicative measurements to assess air quality and to provide adequate information on the spatial distribution of air pollutants and on the spatial representativeness of fixed measurements .	the assessment threshold established for those pollutants, fixed measurements shall be used to assess the ambient air quality. Those fixed measurements may be supplemented by modelling applications and indicative measurements to assess air quality and to provide adequate information on the spatial distribution of air pollutants and on the spatial representativeness of fixed measurements .	the classified as over the assessment threshold thresholds established for those pollutants, fixed measurements shall be used to assess the ambient air quality. Those fixed measurements may be supplemented by modelling applications and/or indicative measurements— to assess air quality and— to provide adequate information on the spatial distribution of air air pollutants— and on the spatial representativeness of fixed measurements—.	the classified as over the assessment threshold thresholds established for those pollutants, fixed measurements shall be used to assess the ambient air quality. Those fixed measurements may be supplemented by modelling applications and/or indicative measurements— to assess air quality and— to provide adequate information on the spatial distribution of air air pollutants— and on the spatial representativeness of fixed measurements—.	
				Text Origin: Council Mandate	
Article 8(3), first subparagraph					
144	3. In all zones where the level of pollutants exceeds a limit value established for those pollutants in Table 1 of Section 1 of Annex I or an ozone target value established in Section 2 of Annex I , modelling applications shall be used in addition to fixed measurements to assess the ambient air quality.	3. In all zones where the level of pollutants exceeds a limit value established for those pollutants in Table 1 of Section 1 of Annex I or an ozone target value established in Section 2 of Annex I , modelling applications shall be used in addition to fixed measurements to assess the ambient air quality.	<i>deleted</i>		

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<i>Article 8(3), second subparagraph</i>					
145	Those modelling applications shall also provide information on the spatial distribution of pollutants and on the spatial representativeness of fixed measurements.	Those modelling applications shall also provide information on the spatial distribution of pollutants and on the spatial representativeness of fixed measurements.	<i>deleted</i>		
<i>Article 8(4)</i>					
146	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, <u>a combination of modelling applications, and indicative measurements,</u> 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, classified as below the assessment threshold established thresholds for those pollutants, modelling applications, indicative measurements, objective-estimation techniques, or objective estimations , or a combination thereof— shall be sufficient for the assessment of the ambient air quality.		ITM 7/12/2023: EP agrees with rewording in first part (classified). The rest remains open.
<i>Article 8(5)</i>					
147	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	5. If modelling shows or <u>indicative measurements show</u> an exceedance of any limit value or ozone target value in an area of the zone not covered by fixed measurements, additional	5. The results of modelling applications undertaken in accordance with paragraph 4 of this Article or paragraph 3 of Article 9 or indicative measurements shall be		

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	measurements shall be used during at least 1 calendar year after the exceedance was recorded, to assess the concentration level of the relevant pollutant.	fixed or indicative measurements <u>measurements shall be installed within 6 months after the exceedance was recorded</u> and shall be used during at least 1 calendar year after the exceedance was recorded, to assess the concentration level of the relevant pollutant.	taken into account for the assessment of air quality with respect to the limit values and target values. If fixed measurements are available with an area of representativeness covering the area of exceedance calculated by the If-modelling shows application, a Member State may choose not to report the modelled exceedance as an exceedance of the relevant limit values and target values. If modelling applications show an exceedance of any limit value or ozone target value in an area of the zone not covered by fixed measurements and their area of spatial representativeness, additional fixed or indicative measurements may be used. Where additional fixed or indicative measurements are used, these measurements shall be used during conducted within 2 calendar years after the exceedance was recorded and shall cover at least 1 calendar year after the exceedance was		

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			recorded in accordance with the minimum data coverage requirements set out in Point B of Annex V, to assess the concentration level of the relevant pollutant. Where a Member State chooses not to conduct any additional fixed or indicative measurements, the exceedance shown by modelling applications shall be used for air quality assessment.		
Article 8(5a), first subparagraph					
147a			5a. The Commission shall provide, by means of implementing acts, further technical details for:		
Article 8(5a), first subparagraph, point (a)					
147b			(a) Modelling applications, including how results from modelling applications and indicative measurements shall be taken into account when assessing air quality and how potential exceedances that are identified by these assessment methods can be verified;		

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	Article 8(5a), first subparagraph, point (b)				
147c			(b) determining the spatial representativeness of sampling points;		
	Article 8(5a), first subparagraph, point (c)				
147d			(c) modelling applications as performed for the purposes of Article 18, in order to attain the limit values specified in Table 1 of Section 1 of Annex I, which shall include reasonable and proportionate measures.		
	Article 8(5a), second subparagraph				
147e			Those implementing acts shall be adopted [by date] in accordance with the examination procedure referred to in Article 26(2).		
	Article 8(6)				
148	6. To assess the contribution of benzo(a)pyrene in ambient air, each Member State shall monitor other relevant polycyclic aromatic	6. To assess the contribution of benzo(a)pyrene in ambient air, each Member State shall monitor other relevant polycyclic aromatic	deleted [moved to Art. 9(8)]		in principle EP accepts move to Art. 9(8)

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	hydrocarbons at a limited number of sampling points . These compounds shall include at least: benzo(a)anthracene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, indeno(1,2,3-cd)pyrene, and dibenz(a,h)anthracene. Sampling points for these polycyclic aromatic hydrocarbons shall be co-located with sampling points for benzo(a)pyrene and shall be selected in such a way that geographical variation and long-term trends can be identified.	hydrocarbons at a limited number of sampling points . These compounds shall include at least: benzo(a)anthracene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, indeno(1,2,3-cd)pyrene, and dibenz(a,h)anthracene. Sampling points for these polycyclic aromatic hydrocarbons shall be co-located with sampling points for benzo(a)pyrene and shall be selected in such a way that geographical variation and long-term trends can be identified.			
Article 8(7)					
149	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.	7. In addition to monitoring required under Article 10, Member States shall, where applicable, monitor ultrafine particles levels, <u>black carbon, ammonia and mercury</u> in accordance with Point D of Annex III and Section 3 <u>Sections 3, 3a, 3b and 3c</u> of Annex VII.	<i>deleted</i> [moved to Art. 9(9)]		<i>in principle EP accepts move to Art. 9(9) but maintains its amendments to the text</i>
Article 8(8)					
150	8. The use of bio indicators	8. The use of bio indicators	8. The use of bio indicators		

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	shall be considered where regional patterns of the impact on ecosystems are to be assessed , including in accordance with the monitoring undertaken under Directive (EU) 2016/2284 .	shall be considered where regional patterns of the impact on ecosystems are to be assessed , including in accordance with the monitoring undertaken under Directive (EU) 2016/2284 .	shall may be considered where regional patterns of the impact on ecosystems are to be assessed—, including in accordance with the monitoring undertaken under Directive (EU) 2016/2284—.		
Article 9					
151	Article 9 Sampling points	Article 9 Sampling points	Article 9 Sampling points	Article 9 Sampling points Text Origin: Commission Proposal	
Article 9(1), first subparagraph					
152	1. The location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide , arsenic, cadmium, nickel, benzo(a)pyrene in ambient air shall be determined in accordance with Annex IV.	1. The location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide , arsenic, cadmium, nickel, benzo(a)pyrene in ambient air shall be determined in accordance with Annex IV.	1. The location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead , benzene,— carbon monoxide , arsenic, cadmium, lead , nickel, benzo(a)pyrene— and ozone in ambient air shall be determined— in accordance with— Annex IV.	1. The location of sampling points for the measurement of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM ₁₀ and PM _{2.5}), lead , benzene,— carbon monoxide , arsenic, cadmium, <u>lead</u> , nickel, benzo(a)pyrene— <u>and ozone</u> in ambient air shall be determined— in accordance with— Annex IV. Text Origin: Council Mandate	ITM 29.11.2023
Article 9(1a)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
y	152a	<u>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.</u>			ITM 7/12/2023. EP willing to drop amendment subject to agreement on compromise text in Annex IV.B.2 (ca)
Article 9(1), second subparagraph					
g	153	The location of sampling points for the measurement of ozone shall be determined in accordance with Annex IV.	deleted	The location of sampling points for the measurement of ozone shall be determined in accordance with Annex IV. deleted	ITM 29.11.2023
Article 9(2)					
g	154	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 .	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, <u>C</u> of Annex III—.	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 1 and 2 of Point A and Point C, <u>Point A and Point C,</u> of Annex III—.	ITM 29.11.2023 Text Origin: Council Mandate
Article 9(3)					

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155	3. For zones where the level of pollutants exceeds the relevant assessment threshold specified in Annex II, but not the respective limit values specified in Table 1 of Section 1 of Annex I, ozone target values specified in Section 2 of Annex I or critical levels specified in Section 3 of Annex I, the minimum number of sampling points may be reduced by up to 50 %, in accordance with Points A and C of Annex III provided that the following conditions are met:	3. For zones where the level of pollutants exceeds the relevant assessment threshold specified in Annex II, but not the respective limit values specified in Table 1 of Section 1 of Annex I, ozone target values specified in Section 2 of Annex I or critical levels specified in Section 3 of Annex I, the minimum number of sampling points may be reduced by up to 50 %, in accordance with Points A and C of Annex III provided that the following conditions are met:	3. For zones— where the level of pollutants exceeds the relevant assessment threshold specified in Annex II, but not the respective limit and target values specified in Table 1 of Section 1 of Annex I, ozone target values specified in Section 2 of Annex I or critical levels specified in Section 3 of Annex I— the —, the minimum— number of sampling points— for fixed measurements may be reduced by up to 50 %,— in accordance with Points Tables 3 and 4 of Point A and Point C of Annex III— provided that the following conditions are met:	3. For zones—where the level of pollutants exceeds the relevant assessment threshold specified in Annex II, but not the respective limit <u>and target</u> values specified in Table 1 of Section 1 of Annex I, ozone target values specified in Section 2 of Annex I or critical levels specified in Section 3 of Annex I— the —, <u>the</u> minimum— number of sampling points— <u>for fixed measurements</u> may be reduced by up to 50 %,— in accordance with Points <u>Point</u> A and <u>Point</u> C of Annex III provided that the following conditions are met: Text Origin: Council Mandate	ITM 29/11/2023: issue of target values open
Article 9(3), point (a)					
156	(a) indicative measurements and modelling provide sufficient information for the assessment of air quality with regard to limit values, ozone target values, critical levels, information thresholds and alert thresholds, as well as adequate information for the	(a) indicative measurements and modelling provide sufficient information for the assessment of air quality with regard to limit values, ozone target values, critical levels, information thresholds and alert thresholds, as well as adequate information for the	(a) indicative measurements and or modelling applications provide sufficient information for the assessment of air quality with regard to limit values—, ozone target values, critical levels, information thresholds and— alert thresholds, as well as		ITM 29/11/2023: "or" and "ozone" remain open

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	public , in addition to the one provided by the fixed sampling points ;	public , in addition to the one provided by the fixed sampling points ;	adequate information for the public–, in addition to the one information provided by the fixed sampling points for fixed measurements ;		
Article 9(3), point (b)					
157	(b) the number of sampling points to be installed and the spatial resolution of indicative measurements and modelling techniques are sufficient for the concentration of the relevant pollutant to be established in accordance with the data quality objectives specified in Points A and B of Annex V and enable assessment results to meet the requirements specified in Point D of Annex V;	(b) the number of sampling points to be installed and the spatial resolution of indicative measurements and modelling techniques are sufficient for the concentration of the relevant pollutant to be established in accordance with the data quality objectives specified in Points A and B of Annex V and enable assessment results to meet the requirements specified in Point D of Annex V;	(b) the number of sampling points to be installed and the spatial resolution of indicative measurements and modelling techniques applications are sufficient for the concentration of the relevant pollutant to be established in accordance with the data quality objectives specified in– Points A and B of Annex V and enable assessment results to meet the requirements– specified in Point D of Annex V;	(b) the number of sampling points to be installed and the spatial resolution of indicative measurements and modelling techniques applications are sufficient for the concentration of the relevant pollutant to be established in accordance with the data quality objectives specified in– Points A and B of Annex V and enable assessment results to meet the requirements– specified in Point D of Annex V; Text Origin: Council Mandate	ITM 29.11.2023
Article 9(3), point (c)					
158	(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative	(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative	(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative	(c) the number of indicative measurements is the same as the number of fixed measurements that are being replaced and the indicative	ITM 7/12/2023: Council to double-check wording

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	measurements have a minimum duration of 2 months per calendar year;	measurements have a minimum duration of 2 months per calendar year <u>equally distributed over the calendar year</u> ;	measurements have a minimum duration of 2 months per calendar year;	measurements have a minimum duration of 2 months per <u>are evenly distributed over the</u> calendar year; Text Origin: Council Mandate	
Article 9(3), point (d)					
159	(d) for ozone, nitrogen dioxide is measured at all remaining sampling points measuring ozone except at rural background locations for ozone assessment as referred to in Point B of Annex IV.	(d) for ozone, nitrogen dioxide is measured at all remaining sampling points measuring ozone except at rural background locations for ozone assessment as referred to in Point B of Annex IV.	(d) for ozone, nitrogen dioxide is measured at all remaining sampling points measuring ozone except at rural background locations for ozone assessment as referred to in Point B of Annex IV.	(d) for ozone, nitrogen dioxide is measured at all remaining sampling points measuring ozone except at rural background locations for ozone assessment as referred to in Point B of Annex IV. Text Origin: Commission Proposal	
Article 9(4)					
160	4. One or more sampling points adapted to the monitoring objective specified in Section 2, Point A of Annex VII, shall be installed in a Member State's territory to supply data on concentrations of the ozone precursor substances listed in Point B of that Section at locations determined in accordance	4. One or more sampling points adapted to the monitoring objective specified in Section 2, Point A of Annex VII, shall be installed in a Member State's territory to supply data on concentrations of the ozone precursor substances listed in Point B of that Section at locations determined in accordance	4. One or more sampling points adapted to the monitoring objective specified in Section 2, Point A of Annex VII, shall be installed in a Member State's territory to supply data on concentrations of the ozone precursor substances listed in Point B of that Section at locations determined in accordance	4. One or more sampling points adapted to the monitoring objective specified in Section 2, Point A of Annex VII, shall be installed in a Member State's territory to supply data on concentrations of the ozone precursor substances listed in Point B of that Section at locations determined in accordance	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	with Point C of that Section.	with Point C of that Section.	with Point C of that Section.	with Point C of that Section. Text Origin: Commission Proposal	
Article 9(4a)					
160a			4a. Nitrogen dioxide shall be measured at a minimum of 50% of the ozone sampling points required under Table 2 of Section A of Annex III. That measurement shall be continuous except at rural background stations, as referred to in Section B of Annex IV, where other measurement methods may be used.	<u>4a. Nitrogen dioxide shall be measured at a minimum of 50% of the ozone sampling points required under Table 2 of Section A of Annex III. That measurement shall be continuous except at rural background stations, as referred to in Section B of Annex IV, where other measurement methods may be used.</u> Text Origin: Council Mandate	ITM 29.11.2023
Article 9(5)					
161	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 _{2.5} and NO ₂ , reflect the general population exposure adequately. The number of sampling points shall be no less than that determined by	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 _{2.5} — and <u>and nitrogen dioxide</u> (NO ₂),—reflect the general population exposure adequately. The number of sampling points shall be no	5. Each Member State shall, in accordance with Annex IV, ensure that the distribution— of sampling points used for the calculation of—the average exposure— indicators—for PM _{2.5} — and and nitrogen dioxide (NO ₂),— reflect the general population exposure adequately. The number of	5. Each Member State shall, in accordance with Annex IV, ensure that the distribution— <u>of sampling points</u> used for the calculation of—the average exposure— indicators—for PM _{2.5} — and <u>and nitrogen dioxide</u> (NO ₂),—reflect the general population exposure adequately. The number of	ITM 29.11.2023

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	application of Point B, of Annex III.	less than that determined by application of Point B, of Annex III.	sampling points shall be no less than that determined by application of Point B, of Annex III.	sampling points shall be no less than that determined by application of Point B, of Annex III. Text Origin: Council Mandate	
Article 9(6)					
162	6. The results of modelling applications and indicative measurements shall be taken into account for the assessment of air quality with respect to the limit values and ozone target values .	6. The results of modelling applications and indicative measurements shall be taken into account for the assessment of air quality with respect to the limit values and ozone target values .	deleted		pending depending discussion on row 147
Article 9(7)					
163	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.	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 <u>absolutely necessary</u> . Relocation of sampling points shall be done within their area of spatial representativeness, <u>ensure continuity of</u>	7. Sampling points at which exceedances of any a relevant limit value specified in Tables 1 and 2 of 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 such sampling points shall, wherever possible , be done within their area of spatial representativeness and be	7. <u>Sampling points at which exceedances of a relevant limit value specified in Tables 1 and 2 of Section 1 of Annex I for target value specified in Table 2a of Annex II 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 such sampling points shall</u>	ITM 7/12/2023: COM compromise proposal. Target value remains open pending discussion on Annex I, table 2a. Drafting to be checked by Council.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>measurement</u> and be based on modelling results.	based on modelling results. A detailed justification of any relocation of these sampling points shall be fully documented in accordance with the requirements set out in Point D of Annex IV.	<u>be supported by modelling applications or indicative measurements, and, wherever possible, ensure continuity of measurement [alternatively: assessment] and be done within the same area of spatial representativeness . A detailed justification of any relocation of these sampling points shall be fully documented in accordance with the requirements set out in Point D of Annex IV</u> 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.	
Article 9(7a)					
G 163a			8. To assess the contribution of benzo(a)pyrene in ambient air, each Member State	<u>8. To assess the contribution of benzo(a)pyrene in ambient air, each Member State</u>	ITM 29.11.2023

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			shall monitor other relevant polycyclic aromatic hydrocarbons at a limited number of sampling points. These compounds shall include at least: benzo(a)anthracene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, indeno(1,2,3-cd)pyrene, and dibenz(a,h)anthracene. Sampling points for these polycyclic aromatic hydrocarbons shall be co-located with sampling points -for benzo(a)pyrene and shall be selected in such a way that geographical variation and long-term trends can be identified. [moved from Art. 8(6)]	<u>shall monitor other relevant polycyclic aromatic hydrocarbons at a limited number of sampling points. These compounds shall include at least: benzo(a)anthracene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, indeno(1,2,3-cd)pyrene, and dibenz(a,h)anthracene. Sampling points for these polycyclic aromatic hydrocarbons shall be co-located with sampling points -for benzo(a)pyrene and shall be selected in such a way that geographical variation and long-term trends can be identified.</u> Text Origin: Council Mandate	
Article 9(7b)					
y 163b			9. In addition to monitoring required under Article 10, Member States shall monitor ultrafine particles levels in accordance with Point D of Annex III and Section 3 of Annex VII. Monitoring of black carbon	Text Origin: Council Mandate	ITM 29/11/2023: move acceptable to EP but content open, esp. references to ammonia and mercury.

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			concentrations may be undertaken at the same locations. [moved from Art. 8(7)]		
Article 10					
164	Article 10 Monitoring supersites	Article 10 Monitoring supersites	Article 10 Monitoring supersites	Article 10 Monitoring supersites Text Origin: Commission Proposal	
Article 10(1), first subparagraph					
165	1. 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.	1. Each Member State shall establish at least one monitoring supersite per 10² million inhabitants at an urban background location. Member States that have fewer than 10² million inhabitants shall establish at least one monitoring supersite at an urban background location.	1. 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.		ITM 1.12.2023
Article 10(1), second subparagraph					
166	Each Member State shall establish at least one monitoring supersite per 100 000 km ² at a rural background location.	Each Member State shall establish at least one monitoring supersite per 100 000 km ² at a rural background location.	Each Member State whose territory is over 10 000 km² shall establish at least one monitoring supersite per 100 000 km ² at a rural		

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	Member States whose territory is less than 100 000 km ² shall establish at least one monitoring supersite at a rural background location.	Member States whose territory is less than 100 000 km ² shall establish at least one monitoring supersite at a rural background location.	background location. Member States whose territory is over 10 000 km² but less than 100 000 km ² shall establish at least one monitoring supersite at a rural background location.		
Article 10(2)					
167	2. The siting of monitoring supersites shall be determined for urban background locations and rural background locations in accordance with Point B of Annex IV.	2. The siting of monitoring supersites shall be determined for urban background locations and rural background locations in accordance with Point B of Annex IV.	2. The siting of monitoring supersites shall be determined for urban background locations and rural background locations in accordance with Point B of Annex IV.	2. The siting of monitoring supersites shall be determined for urban background locations and rural background locations in accordance with Point B of Annex IV. Text Origin: Commission Proposal	
Article 10(3)					
168	3. All sampling points that fulfil the requirements laid down in Point B and C of Annex IV and which are installed at monitoring supersites may be taken into account for the purpose of meeting the requirements on the minimum number of sampling points for the relevant pollutants as specified in Annex III.	3. All sampling points that fulfil the requirements laid down in Point B and C of Annex IV and which are installed at monitoring supersites may be taken into account for the purpose of meeting the requirements on the minimum number of sampling points for the relevant pollutants as specified in Annex III.	3. All sampling points that fulfil the requirements laid down in Point B and C of Annex IV and which are installed at monitoring supersites may be taken into account for the purpose of meeting the requirements on the minimum number of sampling points for the relevant pollutants as specified in Annex III.	3. All sampling points that fulfil the requirements laid down in Point B and C of Annex IV and which are installed at monitoring supersites may be taken into account for the purpose of meeting the requirements on the minimum number of sampling points for the relevant pollutants as specified in Annex III. Text Origin: Commission	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Proposal	
Article 10(4)					
169	4. A Member State may set up in agreement with one or more neighbouring Member States to establish one or more joint monitoring supersites to meet the requirements set out in paragraph 1. This does not affect the obligation of each Member State to establish at least 1 monitoring supersite at an urban background location and 1 monitoring supersite at a rural background location.	4. A Member State may set up in agreement with one or more neighbouring Member States to establish one or more joint monitoring supersites to meet the requirements set out in paragraph 1. This does not affect the obligation of each Member State to establish at least 1 monitoring supersite at an urban background location and 1 monitoring supersite at a rural background location.	4. A Member State may set up in agreement to establish, with one or more neighbouring Member States to establish, one or more joint monitoring supersites to meet the requirements set out in paragraph 1. This does not affect the obligation of each Member State to establish at least 1 monitoring supersite at an urban background location and the obligation of each Member State whose territory is over 10 000 km² to establish at least 1 monitoring supersite at a rural background location.		ITM 1/12/2023: EP: ok to delete "in agreement with"
Article 10(4a), first subparagraph					
169a			4a. Measurements at monitoring supersites at urban background locations and rural background locations shall include the pollutants listed in Tables 1 and 2 of Section -1 of Annex VII and may also include the pollutants listed in Table 3		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			of Section -1 of Annex VII.		
Article 10(4a), second subparagraph					
169b			A Member State may choose not to measure at urban background stations pollutants that are below their respective assessment threshold set in Annex II. The levels of pollutants that are not measured shall be assessed at such supersite at least every 5 years. A Member State may choose not to measure black carbon, ultrafine particles or ammonia in half of its rural background supersites if the number of its rural background supersites exceeds the number of its urban background supersites by at least a ratio of 2:1 between rural and urban supersites, as long as the selection of sites is representative for the three pollutants.		
Article 10(5)					
170	5. Measurements at all monitoring supersites at urban background locations	5. Measurements at all monitoring supersites at urban background locations	<i>deleted</i>		

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	shall include fixed or indicative measurements of size distribution of ultrafine particles and particulate matter oxidative potential.	shall include fixed or <i>indicative</i> measurements of size distribution of ultrafine particles and particulate matter oxidative potential.			
Article 10(6)					
171	6. Measurements at all monitoring supersites at urban background locations and rural background locations shall include at least the following:	6. Measurements at all monitoring supersites at urban background locations and rural background locations shall include at least the following:	<i>deleted</i>		
Article 10(6), point (a)					
172	(a) fixed measurements of particulate matter (PM ₁₀ and PM _{2.5}), nitrogen dioxide (NO ₂), ozone (O ₃), black carbon (BC), ammonia (NH ₃) and ultrafine particles (UFP).	(a) fixed measurements of particulate matter (PM ₁₀ and PM _{2.5}), nitrogen dioxide (NO ₂), <u>sulphur dioxide (SO₂)</u> , <u>carbon monoxide (CO)</u> , ozone (O ₃), black carbon (BC), ammonia (NH ₃) and ultrafine particles (UFP).	<i>deleted</i>		
Article 10(6), point (b)					
173	(b) fixed or indicative measurements of fine particulate matter (PM _{2.5}) for the purposes of providing, as a minimum, information on their total mass	(b) fixed or indicative measurements of fine particulate matter (PM _{2.5}) for the purposes of providing, as a minimum, information on their total mass	<i>deleted</i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	concentration and their chemical speciation concentrations on an annual average basis in accordance with Section 1 of Annex VII;	concentration and their chemical speciation concentrations on an annual average basis in accordance with Section 1 of Annex VII;			
<i>Article 10(6), point (c)</i>					
174	(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.	(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, <u>lead, benzene</u> , benzo(a)pyrene and the other polycyclic aromatic hydrocarbons referred to in Article 8(6), irrespective of concentration levels.	deleted		
<i>Article 10(7)</i>					
175	7. Measurements of particulate and gaseous divalent mercury may also be undertaken at monitoring supersites at urban background locations and rural background locations.	7. Measurements of particulate and gaseous divalent mercury may <u>shall</u> also be undertaken at monitoring supersites at urban background locations and rural background locations.	deleted		

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<i>Article 10(8)</i>					
176	8. Where appropriate, monitoring shall be coordinated with the monitoring strategy and measurement programme of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) , the Aerosol, Clouds and Trace Gases Research Infrastructure (ACTRIS), and the monitoring of air pollution impacts undertaken under Directive (EU) 2016/2284 .	8. Where appropriate, monitoring shall be coordinated with the monitoring strategy and measurement programme of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) , the Aerosol, Clouds and Trace Gases Research Infrastructure (ACTRIS), and the monitoring of air pollution impacts undertaken under Directive (EU) 2016/2284 .	8. Where appropriate, monitoring shall be coordinated with the monitoring strategy and measurement programme of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) , the Aerosol, Clouds and Trace Gases Research Infrastructure (ACTRIS), and the monitoring of air pollution impacts undertaken under Directive (EU) 2016/2284 .	8. Where appropriate, monitoring shall be coordinated with the monitoring strategy and measurement programme of the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP) , the Aerosol, Clouds and Trace Gases Research Infrastructure (ACTRIS), and the monitoring of air pollution impacts undertaken under Directive (EU) 2016/2284 . Text Origin: Commission Proposal	
<i>Article 11</i>					
177	Article 11 Reference measurement methods and data quality objectives	Article 11 Reference measurement methods and data quality objectives	Article 11 Reference measurement methods—, modelling applications and data quality objectives	Article 11 Reference measurement methods—, <u>modelling applications</u> and data quality objectives	
<i>Article 11(1), first subparagraph</i>					
178	1. Member States shall apply the reference measurement methods	1. Member States shall apply the reference measurement methods	1. Member States shall apply the reference measurement methods	1. Member States shall apply the reference measurement methods	

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	specified in Points A and C of Annex VI.	specified in Points A and C of Annex VI.	specified in Points A and C of Annex VI.	specified in Points A and C of Annex VI. Text Origin: Commission Proposal	
Article 11(1), second subparagraph					
179	However, other measurement methods may be used subject to the conditions set out in Points B, C, D and E of Annex VI.	However, other measurement methods may be used subject to the conditions set out in Points B, C, D and E of Annex VI.	————However,— other measurement methods may be used subject to the conditions set out in Points B, C, D and E and D of Annex VI.	————However,— other measurement methods may be used subject to the conditions set out in Points B, C, D and E and D of Annex VI. Text Origin: Council Mandate	
Article 11(1), second subparagraph a					
179a			Member States shall apply air quality modelling applications subject to the conditions set out in Point E of Annex VI.	<u>1a. Member States shall apply air quality modelling applications subject to the conditions set out in Point E of Annex VI.</u> Text Origin: Council Mandate	
Article 11(2)					
180	2. Air quality data shall meet the data quality objectives laid down in Annex V.	2. Air quality data shall meet the data quality objectives laid down in Annex V.	2. Air quality assessment data shall meet the data quality objectives laid down in Annex V.	2. Air quality <u>assessment</u> data shall meet the data quality objectives laid down in Annex V. Text Origin: Council	

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				Mandate	
CHAPTER III					
181	CHAPTER III AMBIENT AIR QUALITY MANAGEMENT	CHAPTER III AMBIENT AIR QUALITY MANAGEMENT	CHAPTER III AMBIENT AIR QUALITY MANAGEMENT	CHAPTER III AMBIENT AIR QUALITY MANAGEMENT Text Origin: Commission Proposal	
Article 12					
182	Article 12 Requirements where levels are lower than the limit values , ozone target value and average exposure concentration objectives, but above the assessment thresholds	Article 12 Requirements where levels are lower than the limit values–, ozone target value and average exposure concentration objectives, but <i>above the assessment thresholds</i>	Article 12 Requirements where levels are lower than the limit values–, ozone target value values and average exposure concentration objectives, but above the assessment thresholds		
Article 12(1)					
183	1. In zones where the levels of sulphur dioxide, nitrogen dioxide, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide , arsenic, cadmium, nickel and benzo(a)pyrene in ambient air are below the respective limit values specified in Section 1 of Annex I , Member States	1. In zones where the levels of sulphur dioxide, nitrogen dioxide, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide , arsenic, cadmium, nickel and benzo(a)pyrene in ambient air are below the respective limit values specified in Section 1 of Annex I , Member States	1. In zones– where the levels of sulphur dioxide, nitrogen dioxide, particulate matter (–PM ₁₀ and PM _{2.5}), lead , benzene, carbon monoxide–, arsenic, cadmium, lead , nickel and benzo(a)pyrene– in ambient air are below the respective limit values specified in Tables 1 and 2 of Section 1		

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	shall maintain the levels of those pollutants below the limit values .	shall maintain the levels of those pollutants below the limit values .	of Annex I–, Member States shall maintain the levels of those pollutants below the limit values-.		
Article 12(2)					
184	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.	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– so permit. Once the long-term objectives are attained,–and provided that any necessary measures do not entail a disproportionate cost <u>Member States shall maintain the ozone levels below the long-term objectives.</u>	2. In zones– in which–ozone levels– levels are below the ozone target value– target values , Member States shall take necessary measures to maintain those levels below the ozone target value values 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, volatile organic compounds from biogenic sources and meteorological conditions– so– so permit, and provided that any necessary measures do not entail a disproportionate cost.		
Article 12(3)					
185	3. In territorial units at NUTS 1 level as described in Regulation (EC) No	3. In territorial units at NUTS 1 2 level as described in Regulation (EC) No	3. In average exposure territorial units at NUTS 1 level as described in	3. In <u>average exposure</u> territorial units at NUTS 1 level as described in	

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	1059/2003 where the average exposure indicators for PM _{2.5} and NO ₂ 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.	1059/2003 where the average exposure indicators for PM _{2.5} and NO ₂ 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.	Regulation (EC) No 1059/2003 where the average exposure indicators for PM _{2.5} and NO ₂ 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.	Regulation (EC) No 1059/2003 where the average exposure indicators for PM _{2.5} and NO ₂ 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. Text Origin: Council Mandate	
Article 12(4)					
186	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.	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 <u>most recent WHO Air Quality Guidelines and reviews</u> published by the WHO <u>Regional Office for Europe</u> and below the assessment thresholds laid down in Annex II, <u>paying particular attention to the protection of sensitive population and vulnerable groups</u> .	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 order to move closer to a zero pollution objective as referred to in Article 1 paragraph 1 taking into account the air quality guidelines published by the WHO and below the assessment thresholds laid down in Annex II.		

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Article 13					
187	Article 13 Limit values, ozone target values and average exposure reduction obligation for the protection of human health	Article 13 Limit values, ozone target values and average exposure reduction obligation for the protection of human health	Article 13 Limit values, ozone target values and average exposure reduction obligation for the protection of human health	Article 13 Limit values, ozone target values and average exposure reduction obligation for the protection of human health Text Origin: Commission Proposal	
Article 13(1)					
188	1. Member States shall ensure that, throughout their zones , levels of sulphur dioxide, nitrogen dioxide, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide , arsenic, cadmium, nickel and benzo(a)pyrene in ambient air, do not exceed the limit values laid down in Section 1 of Annex I.	1. Member States shall ensure that, throughout their zones , levels of sulphur dioxide, nitrogen dioxide, particulate matter (PM ₁₀ and PM _{2.5}), lead, benzene, carbon monoxide , arsenic, cadmium, nickel and benzo(a)pyrene in ambient air, do not exceed the limit values laid down in Section 1 of Annex I.	1. Member States shall ensure that, throughout their zones-, levels of sulphur dioxide,— nitrogen dioxide, particulate matter (-PM ₁₀ and PM _{2.5}), lead —benzene, carbon monoxide—, arsenic, cadmium, lead , nickel and benzo(a)pyrene in ambient air, do not exceed the limit values laid down in Tables 1 and 2 of Section 1 of Annex I.		
Article 13, second paragraph					
189	For ozone, Member States shall ensure, by taking all necessary measures not entailing disproportionate	For ozone, Member States shall ensure, by taking all necessary measures not entailing disproportionate	2. For ozone,— Member States shall— ensure, by taking— all necessary measures not entailing		

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	costs, that throughout the zone levels do not exceed the ozone target values , as laid down in Section 2, Point B, of Annex I .	costs, that throughout the zone levels do not exceed the ozone target values , as laid down in Section 2, Point B, of Annex I .	disproportionate costs, that that throughout the zone levels do not exceed the ozone — the target values, as laid down in Table 2a, Section 1 and Section 2, Point B, of Annex I—.		
Article 13(3)					
190	3. Member States shall ensure that the average exposure reduction obligations for PM _{2.5} and NO ₂ laid down in Section 5, Point B, of Annex I, are met throughout their territorial units at NUTS 1 level, where they exceed the average exposure concentration objectives set out in Section 5, Point C, of Annex I.	3. Member States shall ensure that the the average exposure reduction obligations for PM _{2.5} and NO ₂ laid down in Section 5, Point B, of Annex I, are met throughout their territorial units at NUTS 1 2 level, where they exceed the average exposure concentration objectives set out in Section 5, Point C, of Annex I.	3. Member States shall ensure that the the average exposure reduction obligations for PM _{2.5} and NO ₂ laid down in Section 5, Point B, of Annex I, are met throughout their territorial units at NUTS 1 level average exposure territorial units , where they exceed the average exposure concentration objectives set out in Section 5, Point C, of Annex I.		
Article 13(4)					
191	4. Compliance with paragraphs 1, 2 and 3 shall be assessed in accordance with Annex IV .	4. Compliance with paragraphs 1, 2 and 3 shall be assessed in accordance with Annex IV .	4. Compliance with paragraphs 1, 2 and 3 shall be assessed in accordance with Annex IV .	4. Compliance with paragraphs 1, 2 and 3 shall be assessed in accordance with Annex IV . Text Origin: Commission Proposal	
Article 13(5)					

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192	5. The average exposure indicators shall be assessed in accordance with Section 5, Point A, of Annex I.	5. The average exposure indicators shall be assessed in accordance with Section 5, Point A, of Annex I.	5. The average exposure indicators shall be assessed in accordance with Section 5, Point A, of Annex I.	5. The average exposure indicators shall be assessed in accordance with Section 5, Point A, of Annex I. Text Origin: Commission Proposal	
Article 13(6)					
193	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.	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.	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.		
Article 13(7)					
194	7. Member States that introduce more stringent air quality standards, in accordance with Article 193 TFEU, shall notify them to the Commission within 3 months after their adoption. Such notification shall be accompanied by an explanation on the process of how those air quality	7. Member States that introduce more stringent air quality standards, in accordance with Article 193 TFEU, shall notify them to the Commission within 3 months after their adoption. Such notification shall be accompanied by an explanation on the process of how those air quality	7. Member States may maintain or that introduce more protective measures, including more stringent air quality standards than those referred to in this Article, in accordance with Article 193 TFEU, shall notify them . These shall be notified to the Commission within 3 months after their adoption.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	standards have been established and the scientific information used.	standards have been established and the scientific information used.	Such notification shall be accompanied by an explanation on the process of how those air quality standards have been established and the scientific information used.		

Article 14

195	Article 14 Critical levels for the protection of vegetation and natural ecosystems	Article 14 Critical levels for the protection of vegetation and natural ecosystems	Article 14 Critical levels for the protection of vegetation and natural ecosystems	Article 14 Critical levels for the protection of vegetation and natural ecosystems Text Origin: Commission Proposal	
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Article 14, first paragraph

196	Member States shall ensure compliance with the critical levels specified in Section 3 of Annex I as assessed in accordance with Point A, of Annex IV.	Member States shall ensure compliance with the critical levels specified in Section 3 of Annex I as assessed in accordance with Point A, of Annex IV.	-Member States shall ensure compliance with the critical levels specified in Section 3 of Annex I as assessed in accordance with Point A and B.3 , of Annex IV.	-Member States shall ensure compliance with the critical levels specified in Section 3 of Annex I as assessed in accordance with Point A <u>and B.3</u> , of Annex IV. Text Origin: Council Mandate	
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Article 15

197	Article 15 Exceedances of alert or information thresholds	Article 15 Exceedances of alert or information thresholds	Article 15 -Exceedances of alert or information thresholds	Article 15 Exceedances of alert or information thresholds	
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Commission Proposal	
Article 15(1)					
198	1. The alert thresholds for concentrations of sulphur dioxide, nitrogen dioxide, and particulate matter (PM ₁₀ and PM _{2.5}) in ambient air shall be those laid down in Section 4, Point A of Annex I.	1. The alert thresholds for concentrations of sulphur dioxide, nitrogen dioxide , and particulate matter (PM ₁₀ and PM _{2.5}) and <u>ozone</u> in ambient air shall be those laid down in Section 4, Point A of Annex I.	1. The alert thresholds for concentrations of sulphur dioxide, nitrogen dioxide, and particulate matter (PM ₁₀ and PM _{2.5}) in ambient air shall be those laid down in Section 4, Point A of Annex I.		
Article 15(2)					
199	2. The alert threshold and information threshold for ozone shall be that laid down in Section 4, Point B, of Annex I.	2. The alert threshold and information threshold <u>for information thresholds for concentrations of sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and</u> ozone shall be that laid down in Section 4, Point B, of Annex I.	2. The alert threshold and information threshold for ozone shall be that laid down in Section 4, Point B, of Annex I.		
Article 15(2a)					
199a		<u>2a. Where any alert threshold laid down in Section 4, Point A, of Annex I is exceeded, Member States shall implement without undue</u>			

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		<u><i>delay the emergency measures indicated in the short-term action plans drawn up under Article 20.</i></u>			
Article 15(3)					
200	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 .	3. Where any alert threshold or any information <u>any alert</u> 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 in a <u>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</u> use of different media and communication channels and ensuring <u>ensure</u> broad public access—.	3. Where any any alert threshold or any information threshold— laid down— in Section 4 of Annex I— is exceeded or, when appropriate, if it is predicted to be exceeded based on modelling applications or other forecasting tools , Member States shall take the necessary steps to inform the public— within a few hours at the latest the shortest possible timeframe, in accordance with point 2 and 3 of Annex IX , making use of different media and communication channels and ensuring broad public access .		
Article 15(3a)					

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200a		<u>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.</u>			
Article 15(4)					
201	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.	4. Member States shall ensure that information about actual or predicted exceedances of any alert threshold or information threshold is provided to the public <u>in a coherent and easily understandable manner</u> as soon as possible in accordance with, points 2 and 3 of Annex IX.	deleted [merged with paragraph 3]		
Article 15(5)					
201a			5. Member States may maintain or introduce more protective measures, including more stringent alert or information		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			thresholds, in accordance with Article 193 TFEU. These shall be notified to the Commission within 3 months after their adoption.		
Article 16					
202	Article 16 Contributions from natural sources	Article 16 Contributions from natural sources	Article 16 Contributions from natural sources	Article 16 Contributions from natural sources Text Origin: Commission Proposal	
Article 16(1)					
203	1. Member States may , for a given year, identify :	1. Member States may , for a given year, identify :	1. Member States may , for a given year, identify :	1. Member States may , for a given year, identify : Text Origin: Commission Proposal	
Article 16(1), point (a)					
204	(a) zones where exceedances of limit values for a given pollutant are attributable to natural sources; and	(a) zones where exceedances of limit values for a given pollutant are attributable to natural sources; and	(a) zones where exceedances of limit values for a given pollutant are attributable to natural sources; and	(a) zones where exceedances of limit values for a given pollutant are attributable to natural sources; and Text Origin: Commission Proposal	
Article 16(1), point (b)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
G	205	(b) NUTS 1 territorial units where exceedances of the level determined by the average exposure reduction obligations are attributable to natural sources.	(b) NUTS 1 ² territorial units where exceedances of the level determined by the average exposure reduction obligations are attributable to natural sources.	(b) NUTS 1 ² average exposure territorial units, where exceedances of the level determined by the average exposure reduction obligations are attributable to natural sources. Text Origin: Council Mandate	
Article 16(2)					
Y	206	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.	2. Member States shall provide— the Commission with lists of any such zones and NUTS 1 ² average exposure 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.	2. Member States shall provide— the Commission with lists of any such zones and NUTS 1 ² average exposure 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 <u>and could not have been prevented by the Member State concerned, including, where appropriate, the evidence demonstrating the impact of ecosystem perturbations driven by climate change resulting in such exceedances;</u>	ITM 7/12/2023: COM compromise proposal. To be checked by Council.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>(c) information on the implementation of relevant measures under the national strategy for adaptation to climate change adopted pursuant to Article 5(4) of Regulation (EU) 2021/1119.</u>			
Article 16(3)					
207	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.	3. Where the Commission has been informed of an exceedance attributable to natural sources in accordance with paragraph 2, <u>it shall review the evidence and inform the Member State whether</u> that exceedance shall <u>may</u> not be considered as an exceedance for the purposes of this Directive.	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.	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. <u>If the Commission considers that the evidence provided by the Member State is not sufficient, it shall inform the Member State concerned that the exceedance is not considered as attributable to natural sources until that Member State provides appropriate additional information.</u>	ITM 7/12/2023: COM compromise proposal. To be checked by Council.
Article 16(3a), first subparagraph					
207a			4. The Commission shall	<u>3a. The Commission shall</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			provide, by means of implementing acts, further technical details on the demonstration and subtraction of exceedances attributable to natural sources.	<u>provide, by means of implementing acts, technical details on the demonstration and subtraction of exceedances attributable to natural sources. Such technical details shall specify the content of the evidence to be submitted by the Member State pursuant to paragraph 2, as well as further information to be provided by the Member State, such as information on the impact of ecosystem perturbations driven by climate change resulting in exceedances attributable to natural sources or on the implementation of related climate change adaptation measures to the extent that they are relevant to the zone or average territorial unit concerned.</u>	ITM 7/12/2023: COM compromise proposal. To be checked by Council.
Article 16(4), second subparagraph					
207b			Those implementing acts shall be adopted [by date] in accordance with the examination procedure referred to in Article 26(2).	<u>Those implementing acts shall be adopted [by date] in accordance with the examination procedure referred to in Article 26(2).</u>	ITM 7/12/2023
Article 17					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
G	208	Article 17 Exceedances attributable to winter-sanding or winter - salting of roads	Article 17 Exceedances attributable to winter-sanding or winter - salting of roads	Article 17 Exceedances attributable to winter-sanding or winter - salting of roads Text Origin: Commission Proposal	G
Article 17(1)					
Y	209	1. Member States may , for a given year, identify zones within which limit values for PM ₁₀ are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or winter - salting of roads.	1. Member States may - , for a given year <u>month</u> , identify - zones - within which limit values for PM ₁₀ are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or - winter - salting of roads.	1. Member States may , for a given year, identify zones within which limit values for PM ₁₀ are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or winter - salting of roads.	Y
Article 17(2), first subparagraph					
G	210	2. Member States shall provide the Commission with lists of any such zones , as referred to in paragraph 1 together with information on concentrations and sources of PM ₁₀ in such zones.	2. Member States shall provide the Commission with lists of any such zones , as referred to in paragraph 1 together with information on concentrations and sources of PM ₁₀ in such zones.	2. Member States shall provide the Commission with lists of any such zones , as referred to in paragraph 1 together with information on concentrations and sources of PM ₁₀ in such zones. Text Origin: Commission Proposal	G
Article 17(2), second subparagraph					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
G	211	Member States shall also provide the evidence demonstrating that any exceedances are due to re-suspended particulates and that reasonable measures have been taken to lower such concentrations.	Member States shall also provide the evidence demonstrating that any exceedances are due to re-suspended particulates and that reasonable measures have been taken to lower such concentrations.	Member States shall also provide the evidence demonstrating that any exceedances are due to re-suspended particulates and that reasonable measures have been taken to lower such concentrations. Text Origin: Commission Proposal	
Article 17(3)					
G	212	3. Without prejudice to Article 16, in the case of zones referred to in paragraph 1 of this Article, Member States need to establish the air quality plan provided for in Article 19 only in so far as exceedances are attributable to PM ₁₀ sources other than winter-sanding or winter -salting of roads.	3. Without prejudice to Article 16, in the case of zones referred to in paragraph 1 of this Article, Member States need to establish the air quality plan provided for in Article 19 only in so far as exceedances are attributable to PM ₁₀ sources other than winter-sanding or winter -salting of roads.	3. Without prejudice to Article 16, in the case of zones referred to in paragraph 1 of this Article, Member States need to establish the air quality plan provided for in Article 19 only in so far as exceedances are attributable to PM ₁₀ sources other than winter-sanding or winter -salting of roads. Text Origin: Commission Proposal	
Article 17(3a), first subparagraph					
Y	212a		4. The Commission shall provide, by means of implementing acts, further technical	<u>3a. The Commission shall provide, by means of implementing acts, technical details for the</u>	ITM 7/12/2023. COM compromise proposal. To be checked by Council.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			details/methodology for determination of contributions from the resuspension of particulates following winter-sanding or winter-salting of roads.	<u>methodology for determining contributions from the re-suspension of particulates following winter-sanding or winter-salting of roads, as well as the information for the Member State to provide pursuant to paragraph 2, which shall include information on the contribution of re- suspension to daily concentration levels where applicable.</u>	
Article 17(4), second subparagraph					
212b			Those implementing acts shall be adopted [by date] in accordance with the examination procedure referred to in Article 26(2).	<u>Those implementing acts shall be adopted [by date] in accordance with the examination procedure referred to in Article 26(2).</u>	
Article 18					
213	Article 18 Postponement of attainment deadline and exemption from the obligation to apply certain limit values	Article 18 Postponement of attainment deadline and exemption from the obligation to apply certain limit values	Article 18 Postponement of attainment deadline and exemption from the obligation to apply certain limit values	Article 18 Postponement of attainment deadline and exemption from the obligation to apply certain limit values Text Origin: Commission Proposal	
Article 18(1)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
214	1. Where, in a given zone , conformity with the limit values for particulate matter (PM₁₀ and PM_{2.5}) 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 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:	1. Where, in a given zone , conformity with the limit values for particulate matter (PM₁₀ and PM_{2.5}) or nitrogen dioxide cannot be achieved by the <u>deadline</u> <u>deadlines</u> specified in Table <u>Tables 1 and 1A</u> of Section 1 of Annex I, because of <u>exceptional and unpreventable</u> site-specific dispersion characteristics, orographic boundary conditions, adverse climatic conditions or transboundary contributions, a Member State may postpone - that deadline once by a maximum of 5 <u>5</u> years for that particular zone , if the following conditions are met:	1. Where, in a given zone-, conformity with the limit values for particulate matter (PM₁₀ and PM_{2.5}) 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, transboundary contributions, a high share of low-income households in the air quality zone concerned if the Member State in question has a national GDP per capita lower than the EU average, or if modelling applications results, as performed for the purposes of Annex VIII, Section A, point 6(d), show that the limit values cannot be attained within the attainment date specified in Table 1 of Section 1 of Annex I or transboundary contributions, a Member State may postpone that deadline for that particular zone by the period justified in the air quality plan to be		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			established by the Member State, which shall not extend beyond 1 January 2040, including when the air quality plan established in accordance with Article 19(4) indicates that more time is needed—that deadline once by a maximum of 5 years for that particular zone,— if the following conditions are met:		
Article 18(1), point (-a)					
214a		<u>(-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;</u>			
Article 18(1), point (a)					
215	(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 plan <u>roadmap</u> is established in accordance with Article 19(4) <u>19(-1)</u> and meeting the requirements listed in Article 19(5) to (7)—for the zone—to which the postponement would apply;	(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;		
Article 18(1), point (b)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
216	(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 <u>the</u> air quality plan <u>roadmap</u> referred in point (a) is is supplemented by the information listed in Point B of Annex VIII <u>related VIII</u> <u>related</u> to the pollutants concerned <u>as well as annual projections on the evolution of emissions and concentrations in the zone concerned until the attainment date and</u> and demonstrates how <u>how the limit values will be attained by the end of the postponed deadline for compliance and how</u> exceedance periods above the limit values will be kept as short as possible ; ;	(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 ;		
Article 18(1), point (c)					
217	(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;	(c) the air quality plan <u>roadmap</u> referred to in point (a) outlines how the public and, in particular, sensitive population and vulnerable groups will be informed <u>in a coherent and easily understandable manner</u> about the consequences of the postponement for human health and the environment;	(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;		

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Article 18(1), point (d)					
218	(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;	(d) the air quality plan <u>roadmap</u> referred to in point (a) outlines how additional funding, including via relevant national and Union funding programmes, <u>where such funding is foreseen</u> , will be mobilised to accelerate the improvement of air quality in the zone to which the postponement would apply;	(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;		
Article 18(-1), second subparagraph					
218a			Member States must show that the measures in the air quality plan referred in point (a) of the first subparagraph of this paragraph have been implemented.		
Article 18(2), first subparagraph					
219	2. 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 information necessary for the	2. Member States shall notify the Commission where, in their view, paragraph 1 is <u>is</u> applicable, and shall communicate the air quality plan <u>roadmap</u> referred to in paragraph 1 and <u>and</u> all relevant information	2. 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 information necessary for the		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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 .	necessary for the Commission to assess whether the the invoked reason for postponement and the 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 . <u>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.</u>	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 .		
Article 18(2), second subparagraph					
220					

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	Where the Commission has raised no objections within 9 months of receipt of that notification, the relevant conditions for the application of paragraph 1 shall be deemed to be satisfied.	Where the Commission has raised no objections within 9 months of receipt of that notification, the relevant conditions for the application of paragraph 1 shall be deemed to be satisfied.	Where the Commission has raised no objections within 9 months of receipt of that notification, the relevant conditions for the application of paragraph 1 shall be deemed to be satisfied.	Where the Commission has raised no objections within 9 months of receipt of that notification, the relevant conditions for the application of paragraph 1 shall be deemed to be satisfied. Text Origin: Commission Proposal	
Article 18(2), third subparagraph					
221	If objections are raised, the Commission may require Member States to adjust or provide new air quality plans.	If objections are raised, the Commission may require Member States to adjust or provide new air quality plans.	If objections are raised, the Commission may require Member States to adjust or provide new air quality plans.	If objections are raised, the Commission may require Member States to adjust or provide new air quality plans. Text Origin: Commission Proposal	
CHAPTER IV					
222	CHAPTER IV PLANS	CHAPTER IV PLANS	CHAPTER IV PLANS	CHAPTER IV PLANS Text Origin: Commission Proposal	
Article 19					
223	Article 19 Air quality plans	Article 19 Air quality plans <u>and air quality roadmaps</u>	Article 19 Air quality plans		

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Article 19(-1)					
223a		<u>-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</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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.</u>			
Article 19(1), first subparagraph					
224	1. 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	1. 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	1. Where, in given zones the levels of pollutants in ambient air exceed any limit value or target 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 3 years after the calendar		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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 which the first exceedance was reported .	during which that exceedance of any limit value was recorded. Those air quality plans shall set out <u>all</u> appropriate <u>and sufficient</u> 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 exceedance was reported <u>recorded</u> .	year during which that exceedance of any limit value or target value was recorded. Those air quality plans shall set out appropriate measures— to achieve the— concerned limit value— or target value and to keep the exceedance period as short as possible, and in any case no longer than 36 years from the end of the calendar year in which the first exceedance was reported recorded .		
Article 19(1), second subparagraph					
225	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.	Where exceedances of any limit values persist during the third calendar year after the establishment <u>end</u> of the air quality plan <u>calendar year in which the first exceedance was recorded</u> , Member States shall update the air quality plan and the measures therein, <u>including updated detailed information concerning the status of implementation of the Directives referred to in Point B, point 1, of Annex VIII</u> and take additional and more effective measures, in the subsequent calendar year to keep the exceedance	Where exceedances of any limit values value or target value persist during the third sixth calendar year after the establishment exceedance of the air quality plan limit value or target value was recorded , Member States shall update the air quality plan and the measures therein measures contained in the air quality plan and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.		

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		period as short as possible <u>and in any case no longer than 1 calendar year after the update of the air quality plan.</u>			
Article 19(2), first subparagraph					
226	2. 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.	2. 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 <u>and sufficient</u> measures in order to achieve the ozone target value and to keep the exceedance period as short as possible, <u>and in any case no longer than 3 years from the end of the calendar year in which the first exceedance was recorded.</u>	2. Where in a territorial unit covering at least one air quality zone, the levels 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 3 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.		
Article 19(2), first subparagraph a					
226a					

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			However, Member States may refrain from establishing such air quality plans for ozone when there is no significant potential, considering national geographical and meteorological conditions and provided that its measures do not entail disproportionate costs, to address the exceedance. Where an air quality plan is not established, Member States shall inform the Commission.		
Article 19(2), second subparagraph					
227	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.	Where exceedances of the ozone target value persist during the fifth^{third} calendar year after the establishment^{end} of the air quality plan^{calendar year in which the first exceedance was recorded} in the relevant NUTS 12 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, <u>and in any case no longer than 2</u>	Where exceedances of the ozone target value persist during the fifth ^{sixth} calendar year after the establishment^{exceedance of the air quality plan in the relevant NUTS 1 territorial unit} ozone target value was recorded, Member States shall update air quality plan and the measures therein, the measures contained in the air quality plan and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible.		

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		<u>calendar years after the update of the air quality plan.</u>			
Article 19(2), third subparagraph					
228	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.	For NUTS 1 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.	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 ozone precursors covered by that Directive those exceedances .		
Article 19(3), first subparagraph					
229	3. Where in a given NUTS 1 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	3. Where in a given NUTS 1 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 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	3. Where in a given NUTS 1 average exposure territorial unit, the average exposure reduction obligation laid down in Section 5 of Annex I is exceeded not achieved , Member States shall establish air quality plans for those average exposure NUTS 1 territorial units as soon as possible and no later than 2 3 years after the calendar year during which		

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	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.	recorded. Those air quality plans shall set out appropriate <u>and sufficient</u> measures to achieve the average exposure reduction obligation and to keep the exceedance period as short as possible <u>and in any case no longer than 3 years from the end of the calendar year in which the first exceedance was recorded.</u>	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.		
Article 19(3), second subparagraph					
230	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.	Where exceedances of the average exposure reduction obligation persist during the fifth <u>third</u> calendar year after the establishment <u>end</u> of the air quality plan <u>calendar year in which the first exceedance was recorded</u> , Member States shall update the air quality plan and the measures therein, <u>including updated detailed information concerning the status of implementation of the Directives referred to in Point B, point 1, of Annex VIII</u> and take additional and more effective measures, in the subsequent calendar year to keep the exceedance period as short as possible, <u>and in any case no longer</u>	Where exceedances of the average exposure reduction obligation persist during the fifth sixth calendar year after the establishment exceedance of the air quality plan average exposure reduction obligation was recorded , 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.		

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		<u>than 1 calendar year after the update of the air quality plan.</u>			
Article 19(4), first subparagraph					
231	4. Where from [insert year 2 years after entry into force of this Directive], 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.	<i>deleted</i>	4. Where from [insert year 2 years after entry into force of this Directive], 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 or ozone target values as laid down in Table 1 of Section 1 and Table 1 of part B of Section 2 of Annex I, Member States shall establish an air quality plan for the concerned pollutant as soon as possible and no later than 23 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 values , without prejudice to the second subparagraph of paragraph 2 as regards ozone plans. The air quality plan shall set out appropriate measures to keep the exceedance period		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			as short as possible.		
Article 19(4), second subparagraph					
232	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.	<i>deleted</i>	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.		
Article 19(5), first subparagraph					
233	5. Air quality plans shall contain at least the following information:	5. Air quality plans <u>and air quality roadmaps</u> shall contain at least the following information:	5. Air quality plans shall contain at least the following information:		
Article 19(5), first subparagraph, point (a)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
234	(a) the information listed in Point A, points 1 to 6 of Annex VIII;	(a) the information listed in Point A, points 1 to 6 of Annex VIII;	(a) the information listed in Point A, points 1 to 6 of Annex VIII;	(a) the information listed in Point A, points 1 to 6 of Annex VIII; Text Origin: Commission Proposal	
Article 19(5), first subparagraph, point (b)					
235	(b) where applicable, the information listed in Point A, points 7 and 8, of Annex VIII;	(b) where applicable, the information listed in Point A, points 7 and 8, of Annex VIII;	(b) where applicable, the information listed in Point A, points 7 and 8, of Annex VIII;	(b) where applicable, the information listed in Point A, points 7 and 8, of Annex VIII; Text Origin: Commission Proposal	
Article 19(5), first subparagraph, point (ba)					
235a		<u>(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);</u>			
Article 19(5), first subparagraph, point (c)					
236	(c) where appropriate, information on abatement measures listed in Point B, Point 2 of Annex VIII.	(c) where appropriate, information on abatement measures listed in Point B, Point 2 of Annex VIII.	(c) where appropriate, information on abatement measures listed in Point B, Point 2 of Annex VIII.		
Article 19(5), second subparagraph					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
237	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 consider including <u>include</u> 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 <u>and air quality roadmaps</u> .	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.		
Article 19(5), third subparagraph					
238	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 action plans where applicable.	Regarding the pollutants concerned, when preparing air quality plans <u>or air quality roadmaps</u> , Member States shall assess the risk of exceeding the respective alert thresholds. That analysis shall be used for establishing short-term action plans where applicable.	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 action plans where applicable.		
Article 19(5), fourth subparagraph					
239	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	Where air quality plans or <u>air quality roadmaps</u> shall be established in respect of several pollutants or air quality standards , Member States shall, where appropriate, establish integrated air quality plans	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		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	air quality standards concerned.	<u>or air quality roadmaps</u> covering all pollutants and air quality standards concerned.	air quality standards concerned.		
Article 19(5), fifth subparagraph					
240	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 Council¹, Directives (EU) 2016/2284 and 2002/49/EC and under climate, energy, transport and agriculture legislation . ¹. 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).	Member States shall, to the extent feasible, ensure consistency of their air quality plans <u>and air quality roadmaps</u> 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 Council¹, Directives (EU) 2016/2284 and <u>and</u> 2002/49/EC and under climate, <u>biodiversity protection</u>, energy, transport and agriculture legislation and. ¹. 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).	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 Council¹, Directives (EU) 2016/2284 and 2002/49/EC and under climate, energy, transport and agriculture legislation . ¹. 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).		
Article 19(5a)					
240a		<u>5a. The Commission may, at the request of a Member State, provide</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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.</u>			
Article 19(6), subparagraph -1					
240b		<u>6. 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:</u> <u>(a) information on the</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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;</u> <u>(b) a non-technical summary of the information referred to in this subparagraph.</u>			
Article 19(6), first subparagraph					
241	6. Member States shall consult the public, in accordance with Directive 2003/35/EC of the European Parliament and of the Council¹, 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. ¹. Directive 2003/35/EC of the European Parliament and of the	6. Member States shall consult the public, in accordance with Directive 2003/35/EC of the European Parliament and of the Council¹, 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 <u>and air quality roadmaps</u>, on draft air quality plans and <u>draft air quality roadmaps and</u> any significant updates of air quality plans <u>and air quality roadmaps</u> prior to their finalisation.	6. Member States shall consult the public, in accordance with Directive 2003/35/EC of the European Parliament and of the Council¹, 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. ¹. Directive 2003/35/EC of the European Parliament and of the		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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).	1. 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).	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).		
Article 19(6), second subparagraph					
242	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 vulnerable groups, other relevant health-care bodies and the relevant industrial federations are allowed to take part in those consultations.	<u>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.</u> When preparing air quality plans <u>and air quality roadmaps</u> , 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 <u>and health</u> organisations, consumer organisations, organisations representing	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 vulnerable groups, other relevant health-care bodies and the relevant industrial federations are allowed to take part in those consultations.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		the interests of sensitive population and vulnerable groups, other relevant health-care bodies, <u>including healthcare professionals</u> and the relevant industrial federations are allowed <u>encouraged</u> to take part in those consultations. <u>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.</u>			
Article 19(7)					
243	7. Air quality plans shall be communicated to the Commission within 2 months after their adoption .	7. Air quality plans <u>and air quality roadmaps</u> shall be communicated to the Commission within 2 months after their adoption .	7. Air quality plans shall be communicated to the Commission within 2 months after their adoption .		
Article 19(7a)					
243a		<u>7a. The Commission shall establish, by means of implementing acts, a template with the format and structure of the air</u>			

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		<u>quality plans and air quality roadmaps. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 26(2).</u>			
Article 19(7b)					
243b		<u>7b. The Commission may establish guidance on the elaboration, implementation and revision of air quality plans and, where appropriate, air quality roadmaps.</u>			
Article 19(7c)					
243c		<u>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.</u>			
Article 20					
244	Article 20 Short-term action plans	Article 20 Short-term action plans	Article 20 Short-term action plans	Article 20 Short-term action plans Text Origin: Commission Proposal	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Article 20(1), first subparagraph					
245	1. Where, in a given zone , there is a risk that the levels of pollutants will exceed one or more of the alert thresholds specified in Section 4 of Annex I, Member States shall draw up short-term action plans indicating the emergency measures to be taken in the short term in order to reduce the risk or duration of such an exceedance.	1. Where, in a given zone , there is a risk that the levels of pollutants will exceed one or more of the alert thresholds specified in Section 4 of Annex I, Member States shall draw up short-term action plans indicating the emergency measures to be taken in the short term in order to reduce the risk or duration of such an exceedance.	1. Where, in a given zone-, there is a risk that the levels of pollutants will exceed one or more of the alert thresholds specified in Section 4 of Annex I, Member States shall draw up establish short-term action plans indicating the emergency- measures to be taken in the short term in order to reduce the risk or duration of such an exceedance.		
Article 20(1), second subparagraph					
246	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 <u>will be exceeded</u> , Member States— may refrain from drawing— up such short-term action plans when— there is no <u>no</u> 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 of exceedance of the alert threshold for ozone or particulate matter (PM₁₀ and PM_{2.5}) , Member States— may refrain from drawing up establishing such short-term action plans when— there is no no significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or severity of such an exceedance. Where a short-term action plan is not		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
			established, Member States shall inform the Commission.		
Article 20(1), second subparagraph a					
246a		<u>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.</u>			
Article 20(2)					
247	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	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. <u>Member States</u>	2. When drawing up the establishing 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 ozone target values or alert threshold being exceeded.		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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.	<u>shall also take into consideration the list of measures set out in Annex VIIIa for their short-term action plans, and</u> depending on the share of the main pollution sources to the exceedances to be addressed, those short-term action plans shall <u>shall at least</u> 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.	Depending on the share of the main pollution sources to the exceedances to be addressed, those short-term action plans shall consider including, where appropriate , measures in relation to activities such as transport, construction works, industrial installations, agriculture 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.		
Article 20(3)					
248	3. Member States shall consult the public in accordance with Directive 2003/35/EC, 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 short-	3. Member States shall consult the public in accordance with Directive 2003/35/EC, 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 short-	3. Member States shall consult the public in accordance with Directive 2003/35/EC, 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 short-	3. Member States shall consult the public in accordance with Directive 2003/35/EC, 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 short-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	term action plan, on draft short-term action plans and any significant updates thereof prior to their finalisation.	term action plan, on draft short-term action plans and any significant updates thereof prior to their finalisation.	term action plan, on draft short-term action plans and any significant updates thereof prior to their finalisation.	term action plan, on draft short-term action plans and any significant updates thereof prior to their finalisation. Text Origin: Commission Proposal	
Article 20(3a)					
248a		<u>3a. Member States may request the Commission to provide technical assistance and support in drawing up the short-term action plans.</u>			
Article 20(4)					
249	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	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 <u>and health</u> organisations, consumer organisations, organisations representing the interests of sensitive population and vulnerable groups, <u>healthcare professionals</u> , other relevant health-care bodies and the relevant industrial federations both the results of their investigations on the	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		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	plans as well as information on the implementation of these plans.	feasibility and the content of specific short-term action plans as well as information on the implementation of these plans.	plans as well as information on the implementation of these plans.		
Article 20(4a)					
249a		<u>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.</u>			
Article 20(5)					
250	5. Member States shall submit short-term action plans to the Commission within 2 months after their adoption.	5. Member States shall submit short-term action plans to the Commission within 2 months after their adoption.	5. Member States shall submit Short-term action plans shall be communicated to the Commission within a year of 2 months after their adoption in the framework of the annual reporting pursuant to Article 23.		
Article 20(5a)					
250a					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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.</u>			

Article 21

251	Article 21 Transboundary air pollution	Article 21 Transboundary air pollution	Article 21 Transboundary air pollution	Article 21 Transboundary air pollution Text Origin: Commission Proposal	
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Article 21(1), first subparagraph

252	1. Where transboundary transport of air pollution from one or more Member State contributes significantly to the exceedance of any limit value, ozone target value, average exposure reduction obligation or alert threshold	1. Where transboundary transport of air pollution from one or more Member State contributes significantly to the exceedance of any limit value, ozone target value, average exposure reduction obligation or alert threshold	1. Where transboundary transport of air pollution from one or more Member State contributes significantly to the exceedance of any limit value, ozone target value, average exposure reduction obligation or alert threshold	1. Where transboundary transport of air pollution from one or more Member State contributes significantly to the exceedance of any limit value, ozone target value, average exposure reduction obligation or alert threshold	
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	in another Member State, the latter shall notify the Member States from which the air pollution originated and the Commission thereof.	in another Member State, the latter shall notify the Member States from which the air pollution originated and the Commission thereof.	in another Member State, the latter shall notify the Member States from which the air pollution originated and the Commission thereof.	in another Member State, the latter shall notify the Member States from which the air pollution originated and the Commission thereof. Text Origin: Commission Proposal	
Article 21(1a), first subparagraph					
252a			1a. Member States may, for a given year, identify:		
Article 21(1a), first subparagraph, point (a)					
252b			(a) zones where exceedances of limit values and/or target values are attributable to contribution of transboundary sources.		
Article 21(1a), first subparagraph, point (b)					
252c			(b) average exposure territorial units, where exceedances of the level determined by the average exposure reduction obligations are attributable to contribution of transboundary sources		
Article 21(1a), second subparagraph					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
252d			Member States may provide the Commission with the lists of any such zones and average exposure territorial units together with information on concentrations and the evidence demonstrating that the exceedances are attributable to transboundary sources which are out of the influence of the Member State affected.		
Article 21(1a), third subparagraph					
252e			Where the Commission has been informed of an exceedance attributable to transboundary sources in accordance with the second subparagraph, this may be taken into consideration as indicated in Article 18(1).		
Article 21(1), first subparagraph					
252	1. Where transboundary transport of air pollution from one or more Member State contributes significantly to the exceedance of any limit value, ozone target value,	1. Where transboundary transport of air pollution from one or more Member State contributes significantly to the exceedance of any limit value, ozone target value,	1. Where transboundary transport of air pollution from one or more Member State contributes significantly to the exceedance of any limit value, ozone target value,	1. Where transboundary transport of air pollution from one or more Member State contributes significantly to the exceedance of any limit value, ozone target value,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	average exposure reduction obligation or alert threshold in another Member State, the latter shall notify the Member States from which the air pollution originated and the Commission thereof.	average exposure reduction obligation or alert threshold in another Member State, the latter shall notify the Member States from which the air pollution originated and the Commission thereof.	average exposure reduction obligation or alert threshold in another Member State, the latter shall notify the Member States from which the air pollution originated and the Commission thereof.	average exposure reduction obligation or alert threshold in another Member State, the latter shall notify the Member States from which the air pollution originated and the Commission thereof. Text Origin: Commission Proposal	
Article 21(1), second subparagraph					
253	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 <u>at national, regional and local level, including by establishing joint teams of experts,</u> to identify the sources of air pollution and the <u>shares of pollution originating from each country and the</u> measures to be taken <u>individually and jointly</u> 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-.	1b. The Member States concerned shall cooperate with each other, with the technical support of the Commission to identify the sources of air pollution and the measures to be taken to address those sources,— and draw up joint coordinated activities, such as the preparation of joint or coordinated coordination of air quality plans pursuant to Article 19, in which each Member State shall address pollution sources located in its territory, in order to remove such exceedances-.	<u>1b.</u> The Member States concerned shall cooperate <u>with each other, including by establishing joint teams of experts and with the technical support of the Commission contribution of pollution</u> to identify the sources of air pollution, <u>originating from each Member State concerned to exceedances</u> -and the measures to be taken <u>individually and in coordination with other Member States</u> to address those sources,— and draw up joint <u>coordinated activities, such as the coordination of air quality plans -activities, such as the preparation of joint or coordinated air quality plans</u> pursuant to Article 19, <u>in which each</u>	ITM 7/12/2023: COM compromise proposal. Further discussion needed in Council.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				<u>Member State shall address pollution sources located in its territory</u> , in order to remove such exceedances-.	
	Article 21(1), second subparagraph a				
y	253a	<u>The Member States concerned shall inform the Commission without undue delay of the situation and measures taken.</u>			
	Article 21(1), third subparagraph				
y	254	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.	Member States shall respond to each other in a timely manner, and no later than 3 2 months after being notified by another Member State in accordance with the first subparagraph.	Member States shall respond to each other in a timely manner, and inform the Commission , no later than 3 months after being notified by another Member State in accordance with the first subparagraph.	EP to check internally ITM 4.12.2023
	Article 21(2)				
y	255	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	2. The Commission shall be informed of, and invited to be present , <u>assist and oversee</u> and to assist in any cooperation referred to in paragraph 1 of this Article . <u>The Commission may also, in cooperation with the Member States concerned,</u>	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	2. The Commission shall be informed of, and invited to be present and to , assist in any cooperation referred to in paragraph 1 <u>1b</u> of this Article -. The Commission may request from the Member States concerned to provide an update on

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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.	<u>draw up working plans for the implementation of proposed measures</u> . 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.	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.	<u>progress in implementing any coordinated activities established pursuant to paragraph 1b.</u> - 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.	
Article 21(3)					
256	3. Member States shall, if appropriate pursuant to Article 20, prepare and implement joint short-term action plans covering neighbouring zones in other Member States. Member States shall ensure that neighbouring zones in other Member States receive all appropriate information regarding these short-term action plans without undue delay .	3. Member States shall, if appropriate pursuant to Article 20, prepare and implement joint short-term action plans covering neighbouring zones in other Member States. Member States shall ensure that neighbouring zones in other Member States receive all appropriate information regarding these short-term action plans without undue delay .	3. Member States shall, if appropriate pursuant to Article 20, prepare and implement joint coordinated short-term action plans covering neighbouring zones in other Member States. Member States shall ensure that neighbouring zones in other Member States- receive all appropriate information regarding these short-term action plans without undue delay-.		
Article 21(3a)					
256a		<u>3a. Where a Member State</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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.</u>			to discuss later on, linked to access to justice ITM 4.12.2023

Article 21(4)

G	257	4. Where the information threshold or alert thresholds are exceeded in zones close to national borders, information on these exceedances shall be provided as soon as possible to the competent authorities in the neighbouring Member States concerned. That information shall also be made available to the public.	4. Where the information threshold or alert thresholds are exceeded in zones close to national borders, information on these exceedances shall be provided as soon as possible to the competent authorities in the neighbouring Member States concerned. That information shall also be made available to the public.	4. Where the information threshold or alert thresholds are exceeded in zones close to national borders, information on these exceedances shall be provided as soon as possible to the competent authorities in the neighbouring Member States concerned. That information shall also be made available to the public. Text Origin: Commission Proposal		G
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Article 21(5)

Y	258	5. In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States	5. In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States	5. In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States	5. In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States	to check the structure (such as paragraph 1b)	Y
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries.	shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries.	shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries. Member States may request technical support from the Commission where appropriate.	shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries. <u>Member States may request technical support from the Commission where appropriate.</u> Text Origin: Council Mandate	
CHAPTER V					
G 259	CHAPTER V INFORMATION AND REPORTING	CHAPTER V INFORMATION AND REPORTING	CHAPTER V INFORMATION AND REPORTING	CHAPTER V INFORMATION AND REPORTING Text Origin: Commission Proposal	
Article 22					
G 260	Article 22 Public information	Article 22 Public information	Article 22 Public information	Article 22 Public information Text Origin: Commission Proposal	
Article 22(1)					
Y 261	1. Member States shall ensure that the public as well as appropriate organisations such as environmental	1. Member States shall ensure that the public as well as appropriate organisations such as environmental <u>and</u>	1. Member States shall ensure that the public as well as appropriate organisations such as environmental	1. Member States shall ensure that the public as well as appropriate organisations such as environmental <u>and</u>	Council to check internally ITM 4.12.2023

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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:	<u>health</u> organisations, consumer organisations, organisations representing the interests of sensitive populations— and vulnerable groups—, <u>healthcare professionals and</u> other relevant health-care bodies and the relevant industrial federations are informed, adequately and in good time, of the following:	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:	<u>health</u> organisations, consumer organisations, organisations representing the interests of sensitive populations— and vulnerable groups—, <u>healthcare professionals and</u> other relevant health-care bodies and the relevant industrial federations are informed, adequately and in good time, of the following: Text Origin: EP Mandate	
Article 22(1), point (a)					
G 262	(a) air quality in accordance with Annex points 1 and 3 of IX;	(a) air quality in accordance with Annex points 1 and 3 of IX;	(a) air quality in accordance with Annex points 1 and 3 of Annex IX;	(a) air quality in accordance with Annex points 1 and 3 of IX; Text Origin: EP Mandate	
Article 22(1), point (aa)					
Y 262a		<u>(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;</u>		<u>(aa) location of sampling points for all air pollutants, as well as information on any issues in complying with data coverage requirements per sampling point and pollutant;</u>	ITM 7/12/2023: COM compromise proposal. To be checked by Council.
Article 22(1), point (b)					
G 263					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	(b) any postponement decision pursuant to Article 18;	(b) any postponement decision pursuant to Article 18;	(b) any postponement decision pursuant to Article 18;	(b) any postponement decision pursuant to Article 18; Text Origin: Commission Proposal	
Article 22(1), point (c)					
264	(c) air quality plans as provided for in Article 19;	(c) air quality plans <u>and air quality roadmaps</u> as provided for in Article 19;	(c) air quality plans as provided for in Article 19;		Air quality roadmaps not yet discussed.
Article 22(1), point (d)					
265	(d) short-term action plans as provided for in Article 20;	(d) short-term action plans as provided for in <u>drawn up in accordance with</u> Article 20;	(d) short-term action plans as provided for in Article 20;	(d) short-term action plans as provided for in <u>drawn up in accordance with</u> Article 20; Text Origin: EP Mandate	
Article 22(1), point (da)					
265a		<u>(da) overview of air pollution sources and air pollutants affecting air quality in a Member State concerned;</u>			COM: already in NEC and Annex VIII (for exceedances). EP to check internally. ITM 4.12.2023
Article 22(1), point (db)					
265b		<u>(db) documentation submitted to the</u>			(db) exceedances attributable to natural

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>Commission in relation to exceedances caused by natural sources referred to in Article 16(2);</u>			sources, as relevant, in accordance with Article 16(2); ITM 7/12//2023: COM compromise proposal. Already on EEA website. EP to check internally. ITM 4.12.2023
Article 22(1), point (dc)					
265c		<u>(dc) documentation on site selection referred to in point D of Annex IV;</u>			
Article 22(1), point (e)					
266	(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 <u>and average exposure concentration objectives</u> , 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	(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 the environment as well as information on pollutants— covered by Article 10 and Annex VII.		EP agrees to Council change "the environment"; other changes: pending further discussion and internal checks. ITM 4.12.2023

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		Annex VII.			
Article 22(2)					
267	2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) 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.	2. Member States shall establish an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, and make it available <u>in a coherent and easily understandable manner</u> through a public source providing an hourly update, <u>ensuring that sufficient real-time data is available in all stations</u>. The air quality index shall consider <u>be comparable across all Member States and follow the most up-to-date</u> recommendations by the WHO and build <u>be based</u> on the air quality indices at European scale provided by the European Environmental Agency. <u>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.</u>	2. Member States shall make available through a public source establish an air quality index covering hourly updates on at least sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, provided that according to this Directive there is an obligation to monitor these pollutants. The index may include additional pollutants, when considered relevant 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, including the information regarding impacts on health. Alternatively, Member States may use the air quality index provided by the European Environmental Agency to fulfil the requirements of	2. Member States shall establish <u>and make available through a public source, in an easily understandable manner</u>, an air quality index covering sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}) and ozone, and make it available through a public source providing an hourly update <u>provided that according to this Directive there is an obligation to monitor these pollutants. The index may include additional pollutants, when relevant</u>. The air quality index shall, <u>insofar as possible, be comparable across all Member States and [follow/consider]</u> consider the recommendations by the WHO and build on the air quality indices at European scale provided by the European Environmental <u>Environment</u> Agency. <u>The air quality index shall include</u>	Wording discussed at ITM on 7/12/2023.

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			this provision.	<u>information regarding impacts on health, including information tailored to sensitive population and vulnerable groups. Alternatively, Member States may use the air quality index provided by the EEA to fulfil the requirements of this provision. If a MS decides not to use the the EEA index, a reference to that index shall be made available at national level.</u>	
Article 22(2a)					
267a		<u>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.</u>			Potentially add reference to EEA indicator in Art 22(2) (row 267) - EP to check internally ITM 4.12.2023
Article 22(2b)					
267b		<u>2b. Member States shall promote the display of</u>			

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		<u>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.</u>			
Article 22(3)					
268	3. Member States shall inform the public of the competent authority or body designated in relation to the tasks referred to in Article 5.	3. Member States shall inform the public of the competent authority or body designated in relation to the tasks referred to in Article 5 <u>and of the competent authority or body operating the sampling points established pursuant to Article 9 and Annex IV.</u>	3. Member States shall inform the public of the competent authority or body designated in relation to the tasks referred to in Article 5.		EP to check internally ITM 4.12.2023
Article 22(4)					
269	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 ¹ and Directive (EU)2019/1024 ² of the European Parliament and of the Council .	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 <u>in a coherent and easily understandable manner in</u> accordance with Directive 2007/2/EC ¹ and Directive (EU)2019/1024 ² of	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 ¹ and Directive (EU)2019/1024 ² of the European Parliament and of the Council .	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 <u>in a coherent and easily understandable manner in</u> accordance with Directive 2007/2/EC ¹ and Directive (EU)2019/1024 ² of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	1. 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). 2. 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).	the European Parliament and of the Council—<u>while ensuring broad public access</u>. 1. 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). 2. 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).	1. 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). 2. 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).	the European Parliament and of the Council—<u>while ensuring broad public access to that information</u>. 1. 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). 2. 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). Text Origin: EP Mandate	
Article 23					
270	Article 23 Transmission of information and reporting	Article 23 Transmission of information and reporting	Article 23 Transmission of information and reporting	Article 23 Transmission of information and reporting	Text Origin: Commission Proposal
Article 23(1)					
271	1. Member States shall ensure that information on ambient air quality is made available to the Commission within the required timescale in accordance with the implementing acts referred	1. Member States shall ensure that information on ambient air quality is made available to the Commission within the required timescale in accordance with the implementing acts referred	1. Member States shall ensure that information on ambient air quality is made available to the Commission within the required timescale in accordance with the implementing acts referred	1. Member States shall ensure that information on ambient air quality is made available to the Commission within the required timescale in accordance with the implementing acts referred	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	to in paragraph 5, and irrespective of compliance with data quality objectives laid down in Annex V .	to in paragraph 5, and irrespective of compliance with data quality objectives laid down in Annex V .	to in paragraph 5, and irrespective of compliance with data quality objectives for data coverage laid down in Annex V, section B- .	to in paragraph 5, and irrespective of compliance with data quality objectives for data coverage laid down in Annex V, section B- . Text Origin: Council Mandate	
Article 23(2)					
272	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:	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 the information referred to in paragraph 1 shall be made available to the Commission no later than 4 4 months after the end of each calendar year and shall include:	2. For the specific purpose of assessing compliance with the limit values, ozone target values, average exposure reduction obligations -, and critical levels, the the information referred to in paragraph 1- shall be made available to the Commission no later than 4 9 months after the end of each calendar year and shall include:		
Article 23(2), point (a)					
273	(a) the changes made in that year to the list and delimitation of zones established under Article 6 or any NUTS 1 territorial unit ;	(a) the changes made in that year to the list and delimitation of zones established under Article 6 or any NUTS 1 2 territorial unit-;	(a) the changes made in that year to the list and delimitation of zones established under Article 6 or any NUTS 1 average exposure territorial unit-;	(a) the changes made in that year to the list and delimitation of zones established under Article 6 or any NUTS 1 average exposure territorial unit-; Text Origin: Council	

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				Mandate	
Article 23(2), point (b)					
274	(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: :	(b) the list of zones— and and NUTS 1 ² territorial units and the levels of pollutants assessed. For zones— in in which the levels of one or more pollutants are higher than the limit values— or or critical levels—, as well as for NUTS 1 ² territorial units where the levels of one or more pollutants are higher than the target values— or ² <u>or average exposure concentration objectives</u> :	(b) the list of zones— and and NUTS 1 and average exposure 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—, target values or critical levels—, as well as for NUTS 1 territorial units where the levels of one or more pollutants are higher than the ozone target values or average exposure reduction obligations:—:		
Article 23(2), point (b)(i)					
275	(i) the dates and periods when such levels were observed;	(i) the dates and periods when such levels were observed;	(i) the dates and periods when such levels were observed;	(i) the dates and periods when such levels were observed; Text Origin: Commission Proposal	
Article 23(2), point (b)(ii)					
276	(ii) if appropriate, an assessment on contributions from natural sources and	(ii) if appropriate, an assessment on contributions from natural sources and	(ii) if appropriate, an assessment on contributions from natural sources and	(ii) if appropriate, an assessment on contributions from natural sources and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	from re-suspension of particulates following winter sanding or winter salting of roads to the levels assessed, as declared to the Commission under Articles 16 and 17.	from re-suspension of particulates following winter sanding or winter salting of roads to the levels assessed, as declared to the Commission under Articles 16 and 17.	from re-suspension of particulates following winter sanding or winter salting of roads to the levels assessed, as declared to the Commission under Articles 16 and 17.	from re-suspension of particulates following winter sanding or winter salting of roads to the levels assessed, as declared to the Commission under Articles 16 and 17. Text Origin: Commission Proposal	
Article 23(3)					
277	3. Member States shall report to the Commission in accordance with paragraph 1 information concerning the levels recorded and the duration of the periods during which the alert threshold or information threshold was exceeded.	3. Member States shall report to the Commission in accordance with paragraph 1 information concerning the levels recorded and the duration of the periods during which the alert threshold or information threshold was exceeded.	3. Member States shall report to the Commission in accordance with paragraph 1 information concerning the levels recorded and the duration of the periods during which the alert threshold or information threshold was exceeded.	3. Member States shall report to the Commission in accordance with paragraph 1 information concerning the levels recorded and the duration of the periods during which the alert threshold or information threshold was exceeded. Text Origin: Commission Proposal	
Article 23(4)					
278	4. Member States shall provide information listed in Point D of Annex IV to the Commission within 3 months of being requested to do so.	4. Member States shall provide information listed in Point D of Annex IV to the Commission within 3 months of being requested to do so.	4. Member States shall provide information listed in Point D of Annex IV to the Commission within 3 months of being requested to do so.	4. Member States shall provide information listed in Point D of Annex IV to the Commission within 3 months of being requested to do so. Text Origin: Commission	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Proposal	
	Article 23(5), first subparagraph				
Y	279	5. The Commission shall adopt, as appropriate, by means of implementing acts, measures:	5. The Commission shall adopt, as appropriate, by means of implementing acts, measures:		Y
	Article 23(5), first subparagraph, point (a)				
G	280	(a) determining the additional information to be made available by Member States pursuant to this Article as well as the timescales in which such information is to be communicated;	(a) determining the additional specifying the information to be made available by Member States pursuant to this Article as well as the timescales in which such information is to be communicated;	(a) determining the additional specifying the information to be made available by Member States pursuant to this Article as well as the timescales in which such information is to be communicated; Text Origin: Council Mandate	G
	Article 23(5), first subparagraph, point (b)				
G	281	(b) identifying ways of streamlining the way data are reported and the reciprocal exchange of information and data from networks and individual sampling points measuring ambient air pollution within Member States.	(b) identifying ways of streamlining the way data are reported and the reciprocal exchange of information and data from networks and individual sampling points measuring ambient air pollution within Member States.	(b) identifying ways of streamlining the way data are reported and the reciprocal exchange of information and data from networks and individual sampling points measuring ambient air pollution within Member States. Text Origin: Commission	G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Proposal	
Article 23(5), second subparagraph					
282	Those implementing acts shall be adopted in accordance with the examination procedure referred to Article 26(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to Article 26(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to Article 26(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to Article 26(2). Text Origin: Commission Proposal	
CHAPTER VI					
283	CHAPTER VI DELEGATED AND IMPLEMENTING ACTS	CHAPTER VI DELEGATED AND IMPLEMENTING ACTS	CHAPTER VI DELEGATED AND IMPLEMENTING ACTS	CHAPTER VI DELEGATED AND IMPLEMENTING ACTS Text Origin: Commission Proposal	
Article 24					
284	Article 24 Amendments to Annexes	Article 24 Amendments to Annexes	Article 24 Amendments to Annexes	Article 24 Amendments to Annexes Text Origin: Commission Proposal	
Article 24, first paragraph					
285	The Commission is empowered to adopt delegated acts in accordance with Article 25 amending	The Commission is empowered to adopt delegated acts in accordance with Article 25 amending	The Commission is empowered to adopt delegated acts in accordance with Article 25 amending		

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	Annexes II to IX to take account of technical and scientific developments regarding assessment of ambient air quality, information to be included in air quality plans, and public information.	Annexes II to IX to take account of technical and scientific developments regarding assessment of ambient air quality, information to be included in air quality plans, and public information.	Annexes II to IX III to VII to take account of technical and scientific developments regarding assessment of ambient air quality, information to be included in air quality plans, and public information.		
Article 24, second paragraph					
G	286	However, the amendments may not have the effect of directly or indirectly modifying either of the following:	However, the amendments may not have the effect of directly or indirectly modifying either of the following:	However, the amendments may not have the effect of directly or indirectly modifying either of the following: Text Origin: Commission Proposal	
Article 24, second paragraph, point (a)					
Y	287	(a) the limit values, ozone target values and long-term objectives , critical levels, alert and information thresholds , average exposure reduction obligations and average exposure concentration objectives specified in Annex I	(a) the limit values, ozone target values and long-term objectives , critical levels, alert and information thresholds , average exposure reduction obligations and average exposure concentration objectives specified in Annex I	(a) the limit values, ozone target values —and— and and ozone long-term objectives , critical levels, — alert— and information — thresholds— , average exposure reduction obligations and average exposure concentration objectives— specified in Annex I	
Article 24, second paragraph, point (b)					
G	288				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	(b) the dates for compliance with any of the parameters referred to in point (a).	(b) the dates for compliance with any of the parameters referred to in point (a).	(b) the dates for compliance with any of the parameters referred to in point (a).	(b) the dates for compliance with any of the parameters referred to in point (a). Text Origin: Commission Proposal	
Article 25					
289	Article 25 Exercise of delegation	Article 25 Exercise of delegation	Article 25 Exercise of delegation	Article 25 Exercise of delegation Text Origin: Commission Proposal	
Article 25(1)					
290	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. Text Origin: Commission Proposal	
Article 25(2)					
291	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].	2. The power to adopt delegated acts referred to in Article <u>22(2a), Article 24 and Article 29(3a)</u> 24 shall be conferred on the Commission for an indeterminate <u>a period of five years from</u>	2. The power to adopt delegated acts referred to in Article 24 shall be conferred on the Commission for an indeterminate <u>a period of five years</u> from ... [date of entry into force of this Directive]. The	2. <u>[The power ... of this Directive]</u> <u>Reference to Art 22(2a): to be dropped</u> <u>Reference to Art 29(3a): to be discussed</u> <u>Agreed:</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		... [date of entry into force of this Directive]. <u>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.</u>	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.	"The Commission to adopt delegated acts referred to in Article 24 shall be conferred on the Commission for an indeterminate <u>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</u> of time from ... [date of entry into force of this Directive]."	

Article 25(3)

292	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	3. The delegation of power referred to in Article <u>22(2a), Article 24 and Article 29(3a)</u> 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	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	3. The delegation of power referred to in Article <u>24 and [Article 29(3a)]</u> 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	ITM 15/12: Article 29(3a): to be discussed
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	affect the validity of any delegated acts already in force.	Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	affect the validity of any delegated acts already in force.	specified therein. It shall not affect the validity of any delegated acts already in force. Text Origin: EP Mandate	
Article 25(4)					
293	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making. Text Origin: Commission Proposal	
Article 25(5), first subparagraph					
294	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. Text Origin: Commission Proposal	
Article 25(5), second subparagraph					
295					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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.	A delegated act adopted pursuant to Article <u>22(2a)</u> , <u>Article 24 and Article 29(3a)</u> 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.	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.	A delegated act adopted pursuant to Article 24 <u>and [Article 29(3a)]</u> 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. Text Origin: EP Mandate	ITM 15/12: Article 29(3): to be discussed

Article 26

296	Article 26 Committee procedure	Article 26 Committee procedure	Article 26 Committee procedure	Article 26 Committee procedure Text Origin: Commission Proposal	
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Article 26(1)

297	1. The Commission shall be assisted by ‘the Ambient Air Quality Committee’.	1. The Commission shall be assisted by ‘the Ambient Air Quality Committee’.	1. The Commission shall be assisted by ‘the Ambient Air Quality Committee’.	1. The Commission shall be assisted by ‘the Ambient Air Quality Committee’.	
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. Text Origin: Commission Proposal	
Article 26(2)					
298	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) 182/2011 shall apply.	2. Where reference is made to this paragraph,— Article 5 of Regulation (EU) 182/2011— shall apply. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.		
CHAPTER VII					
299	CHAPTER VII ACCESS TO JUSTICE, COMPENSATION AND PENALTIES	CHAPTER VII ACCESS TO JUSTICE, COMPENSATION AND PENALTIES	CHAPTER VII ACCESS TO JUSTICE, COMPENSATION AND PENALTIES	CHAPTER VII ACCESS TO JUSTICE, COMPENSATION AND PENALTIES Text Origin: Commission Proposal	
Article 27					
300					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	Article 27 Access to justice	Article 27 Access to justice	Article 27 Access to justice	Article 27 Access to justice Text Origin: Commission Proposal	
Article 27(1), first subparagraph					
301	1. 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:	1. 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 <u>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</u> 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:	1. 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:		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Article 27(1), first subparagraph, point (a)					
302	(a) the members of the public understood as one or more natural or legal persons and, in accordance with national law or practice, their associations, organisations or groups, have a sufficient interest;	(a) the members of the public understood as one or more natural or legal persons and, in accordance with national law or practice, their associations, organisations or groups, have a sufficient interest;	(a) the members of the public understood as one or more natural or legal persons and, in accordance with national law or practice, their associations, organisations or groups, they have a sufficient interest;		
Article 27(1), first subparagraph, point (b)					
303	(b) where the applicable law of the Member State requires this as a precondition, the members of the public maintain the impairment of a right.	(b) where the applicable law of the Member State requires this as a precondition, the members of the public maintain the impairment of a right.	(b) where the applicable law of the Member State requires this as a precondition, the members of the public maintain the impairment of a right they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.		
Article 27(1), second subparagraph					
304	Member States shall determine what constitutes a sufficient interest and impairment of a right consistently with the objective of giving the public concerned wide access to justice.	Member States shall determine what constitutes a sufficient interest and impairment of a right consistently with the objective of giving the public concerned wide access to justice.	Member States shall determine what constitutes a sufficient interest and impairment of a right consistently with the objective of giving the public concerned wide access to justice.	Member States shall determine what constitutes a sufficient interest and impairment of a right consistently with the objective of giving the public concerned wide access to justice.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Commission Proposal	
Article 27(1), third subparagraph					
305	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).	The interest of any <u>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</u> non-governmental organisation, which is a member <u>are both members</u> of the public concerned shall be deemed sufficient for the purposes of the first paragraph, point (a). Such <u>natural persons and</u> organisations shall also be deemed to have rights capable of being impaired for the purposes of the first paragraph, point (b).	To this end , the interest of any non-governmental organisation which is a member of the public concerned promoting environmental protection and meeting any requirements under national law shall be deemed sufficient for the purposes of the first paragraph subparagraph , point (a). Such organisations shall also be deemed to have rights capable of being impaired for the purposes of the first paragraph subparagraph , point (b).		
Article 27(2)					
306	2. To have standing to participate in the review procedure shall not be conditional on the role that the member of the public	2. To have standing to participate in the review procedure shall not be conditional on the role that the member of the public	<i>deleted</i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	concerned played during a participatory phase of the decision-making procedures related to Article 19 or 20.	concerned played during a participatory phase of the decision-making procedures related to Article 19 or 20 <u>under this Directive</u> .			
Article 27(3)					
307	3. The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide adequate and effective redress mechanisms, including injunctive relief as appropriate.	3. The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide adequate and effective redress mechanisms, including injunctive relief as appropriate.	3. The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide adequate and effective redress mechanisms, including injunctive relief as appropriate.	3. The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide adequate and effective redress mechanisms, including injunctive relief as appropriate. Text Origin: Commission Proposal	
Article 27(3a)					
307a			3a. Member States shall determine at what stage the decisions, acts or omissions may be challenged.		
Article 27(4)					
308	4. This Article does not prevent Member States from requiring a preliminary review procedure before an administrative authority and	4. This Article does not prevent Member States from requiring a preliminary review procedure before an administrative authority and	4. This Article does not prevent Member States from requiring a preliminary review procedure before an administrative authority and	4. This Article does not prevent Member States from requiring a preliminary review procedure before an administrative authority and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	does not affect the requirement of exhaustion of administrative review procedures prior to recourse to judicial review procedures, where such a requirement exists under national law.	does not affect the requirement of exhaustion of administrative review procedures prior to recourse to judicial review procedures, where such a requirement exists under national law.	does not affect the requirement of exhaustion of administrative review procedures prior to recourse to judicial review procedures, where such a requirement exists under national law.	does not affect the requirement of exhaustion of administrative review procedures prior to recourse to judicial review procedures, where such a requirement exists under national law. Text Origin: Commission Proposal	
Article 27(5)					
309	5. Member States shall ensure that practical information is made available to the public on access to administrative and judicial review procedures referred to in this Article.	5. Member States shall ensure that practical information is made available to the public on access to administrative and judicial review procedures referred to in this Article.	5. Member States shall ensure that practical information is made available to the public on access to administrative and judicial review procedures referred to in this Article.	5. Member States shall ensure that practical information is made available to the public on access to administrative and judicial review procedures referred to in this Article. Text Origin: Commission Proposal	
Article 28					
310	Article 28 Compensation for damage to human health	Article 28 Compensation for damage to human health	Article 28 Compensation for damage to human health	Article 28 Compensation for damage to human health Text Origin: Commission Proposal	
Article 28(1)					
311					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	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 with this article.	1. Member States shall ensure that natural persons who suffer damage to human health caused by a violation of <u>this Directive, including, but not limited to, Article 13,</u> Articles 19(1) to 19(4), 20(1) and 20(2), <u>Article 21(1), 21(1) second sub-paragraph and sub-paragraph, and Article 21(3) of this Directive by an omission, decision, act or delay of a decision or act of</u> the competent authorities are entitled to compensation in accordance with this article.	1. Member States shall ensure that, natural persons who suffer damage to human health caused by a violation of the national rules transposing the provisions of the of Articles 19(1) to, 19(3), 19(4), 20(1) and 20(2), 21(1) second sub-paragraph and 21(3) of this Directive of this Directive that has been committed intentionally or negligently by the competent authorities are entitled to compensation in accordance with this article authorities have the right to claim and obtain compensation for that damage.		
Article 28(2)					
312	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)	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)	<i>deleted</i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	of Directive (EU) 2020/1828 shall mutatis mutandis apply to such collective actions.	of Directive (EU) 2020/1828 shall mutatis mutandis apply to such collective actions.			
<i>Article 28(3)</i>					
313	3. Member States shall ensure that a claim for compensation for a violation can be pursued only once by a natural person referred to in paragraph 1 and by the non-governmental organisations representing the person referred to in paragraph 2. Member States shall lay down rules to ensure that the individuals affected do not receive compensation more than once for the same cause of action against the same competent authority.	3. Member States shall ensure that a claim for compensation for a violation can be pursued only once by a natural person referred to in paragraph 1 and by the non-governmental organisations representing the person referred to in paragraph 2. Member States shall lay down rules to ensure that the individuals affected do not receive compensation more than once for the same cause of action against the same competent authority.	<i>deleted</i>		
<i>Article 28(4), first subparagraph</i>					
314	4. 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	4. Where a claim for compensation is supported by evidence, <u>including relevant scientific data, from which it may be presumed</u> showing that the violation referred to in paragraph 1 is the most plausible explanation for <u>has caused or contributed to</u> the	<i>deleted</i>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	damage shall be presumed.	occurrence of the damage of that person, the causal link between the violation and the occurrence of the damage shall be presumed.			
<i>Article 28(4), second subparagraph</i>					
315	The respondent public authority shall be able to rebut this presumption. In particular, the respondent shall have the right to challenge the relevance of the evidence relied on by the natural person and the plausibility of the explanation put forward.	The respondent public authority shall be able to rebut this presumption. In particular, the respondent shall have the right to challenge the relevance of the evidence relied on by the natural person and the plausibility of the explanation put forward.	<i>deleted</i>		
<i>Article 28(4), second subparagraph a</i>					
315a		<u><i>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</i></u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>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.</u>			
Article 28(4), second subparagraph b					
315b		<u>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.</u>			
Article 28(4a)					
315c		<u>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.</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Article 28(5)					
316	5. Member States shall ensure that national rules and procedures relating to claims for compensation, including as concerns the burden of proof, are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage pursuant to paragraph 1.	5. Member States shall ensure that national rules and procedures relating to claims for compensation, including as concerns the burden of proof, are designed and applied in such a way that they do not render impossible or excessively difficult the exercise of the right to compensation for damage pursuant to paragraph 1.	deleted		
Article 28(6)					
317	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.	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 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.	6. Member States shall ensure that the may establish 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.		
Article 29					
318					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	Article 29 Penalties	Article 29 Penalties	Article 29 Penalties		
Article 29(1)					
319	1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council¹, Member States shall lay down the rules on penalties applicable to violations by natural and legal persons, of the national provisions adopted pursuant to this Directive and shall ensure that those rules are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission without undue delay of those rules and of any amendment thereof. ¹ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p. 28).	1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council¹, Member States shall lay down the rules on penalties applicable to violations by natural and legal persons, of the national provisions adopted pursuant to this Directive and shall ensure that those rules are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission without undue delay of those rules and of any amendment thereof. ¹ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p. 28).	1. Without prejudice to the obligations of Member States under Directive 2008/99/EC of the European Parliament and of the Council¹, – Member States shall lay down the rules on penalties applicable to violations by natural and legal persons, infringements, of the national provisions adopted pursuant to this Directive and shall— take all measures necessary to ensure that those rules are they are implemented. The penalties provided for shall— be effective, proportionate and dissuasive. Member States shall notify the Commission without undue delay of those rules and of any amendment thereof. ¹ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p. 28).		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Article 29(2)					
320	2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the violation. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the violation of the economic benefits derived from that violation. In the case of a violation committed by a legal person, such fines shall be proportionate to the legal person's annual turnover in the Member State concerned, taking account, inter alia, the specificities of small and medium-sized enterprises (SMEs).	2. The penalties referred to in paragraph 1 shall include fines proportionate to the turnover of the legal person or to the income of the natural person having committed the violation. The level of the fines shall be calculated in such a way as to make sure that they effectively deprive the person responsible for the violation of the economic benefits derived from that violation. In the case of a violation committed by a legal person, such fines shall be proportionate to the legal person's annual turnover in the Member State concerned, taking account, inter alia, the specificities of small and medium-sized enterprises (SMEs).	deleted		
Article 29(3)					
321	3. Member States shall ensure that the penalties referred to in paragraph 1 give due regard to the following circumstances, as applicable:	3. Member States shall ensure that the penalties referred to in paragraph 1 give due regard to the following circumstances, as applicable:	3. Member States shall ensure that the penalties referred to in paragraph 1 established pursuant this article give due regard to the following circumstances, as applicable:		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Article 29(3), point (a)					
322	(a) the nature, gravity, extent and duration of the violation;	(a) the nature, gravity, extent and duration of the violation;	(a) the nature, gravity, extent and duration of the violation infringement ;		
Article 29(3), point (aa)					
322a		<u>(aa) the real or estimated economic benefits derived from the violation;</u>			
Article 29(3), point (b)					
323	(b) the intentional or negligent character of the violation;	(b) the intentional or negligent character of the violation;	<i>deleted</i>		
Article 29(3), point (c)					
324	(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;	(c) the population, including sensitive population and vulnerable groups, or the environment affected by the violation, <u>and the harm caused</u> , taking into account the objective of achieving a high level of protection of human health and the environment;	(c) the population, including sensitive population and vulnerable groups, or the environment affected by the infringement bearing in mind the impact of the infringement on violation , taking into account the objective of achieving a high level of protection of human health and the environment;		
Article 29(3), point (d)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
325	(d) the repetitive or singular character of the violation.	(d) the repetitive or singular character of the violation, <u>including any previous receipt of an admonition penalty, or administrative or criminal sanction.</u>	(d) the repetitive or singular character of the violation infringement.		
Article 29(3a)					
325a		<u>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.</u>			
Article 29(3b)					
325b		<u>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</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>these revenues. Without prejudice to Article 28, revenues raised from penalties shall not be used for the purpose of that Article.</u>			
Article 29(2a), second subparagraph					
325c			Member States shall without undue delay notify the Commission of the rules and measures referred to in paragraph 1 and of any subsequent amendment affecting them.		
CHAPTER VIII					
326	CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS	CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS	CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS	CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS Text Origin: Commission Proposal	
Article 30					
327	Article 30 Repeal and transitional provisions	Article 30 Repeal and transitional provisions	Article 30 Repeal and transitional provisions	Article 30 Repeal and transitional provisions Text Origin: Commission Proposal	
Article 30(1)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
328	1. Directives 2004/107/EC and 2008/50/EC, as amended by the Directives listed in Part A of Annex X, are repealed with effect from [insert date 1 day after end of transposition deadline] , without prejudice to the obligations of Member States relating to the time-limits for the transposition into national law of the Directives set out in Part B of Annex X .	1. Directives 2004/107/EC and 2008/50/EC, as amended by the Directives listed in Part A of Annex X, are repealed with effect from [insert date 1 day after end of transposition deadline] , without prejudice to the obligations of Member States relating to the time-limits for the transposition into national law of the Directives set out in Part B of Annex X .	1. Directives 2004/107/EC and 2008/50/EC, as amended by the Directives listed in Part A of Annex X, are repealed with effect from [insert date 1 day after end of transposition deadline] , without prejudice to the obligations of Member States relating to the time-limits for the transposition into national law of the Directives set out in Part B of Annex X .	1. Directives 2004/107/EC and 2008/50/EC, as amended by the Directives listed in Part A of Annex X, are repealed with effect from [insert date 1 day after end of transposition deadline] , without prejudice to the obligations of Member States relating to the time-limits for the transposition into national law of the Directives set out in Part B of Annex X . Text Origin: Commission Proposal	
Article 30(2)					
329	2. References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XI.	2. References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XI.	2. References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XI.	2. References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XI. Text Origin: Commission Proposal	
Article 31					
330	Article 31 Transposition	Article 31 Transposition	Article 31 Transposition	Article 31 Transposition	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				Text Origin: Commission Proposal	
Article 31(1), first subparagraph					
331	1. 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 .	1. 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 : two years <u>18 months</u> after entry into force] at the latest .	1. 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 .		
Article 31(1), first subparagraph a					
331a		<u>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</u>			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>Directive] at the latest.</u>			
Article 31(1), second subparagraph					
332	When Member States adopt the measures referred to in this paragraph , they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directives repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.	When Member States adopt the measures referred to in this paragraph , they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directives repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.	When Member States adopt the measures the provisions referred to in this paragraph–, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directives repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.	When Member States adopt the measures <u>the provisions</u> referred to in this paragraph–, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directives repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated. Text Origin: Council Mandate	
Article 31(2)					
333	2. Member States shall communicate to the Commission the text of the main measures of national	2. Member States shall communicate to the Commission the text of the main measures of national	2. Member States shall communicate to the Commission the text of the main measures provisions	2. Member States shall communicate to the Commission the text of the main measures <u>provisions</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	law which they adopt in the field covered by this Directive.	law which they adopt in the field covered by this Directive.	of national law which they adopt in the field covered by this Directive.	of national law which they adopt in the field covered by this Directive. Text Origin: Council Mandate	
Article 32					
334	Article 32 Entry into force	Article 32 Entry into force	Article 32 Entry into force	Article 32 Entry into force Text Origin: Commission Proposal	
Article 32, first paragraph					
335	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. Text Origin: Commission Proposal	
Article 32, second paragraph					
336	Article 4(1), (3) to (12), Article 4(15), (17), (20), (23) and (31) to (35), Article 13(4) and (5), Article 14, Article 16(3) and Article 22(3) shall apply from [the day after the date in the first	Article 4(1), (3) to (12), Article 4(15), (17), (20), (23) and (31) to (35), Article 13(4) and (5), Article 14, Article 16(3) and Article 22(3) shall apply from [the day after the date in the first	Article 4(1), (3) to (12), Article 4(15), (17), (20), (23) and (31) to (35), Article 13(4) and (5), Article 14, Article 16(3) and Article 22(3) shall apply from [the day after the date in the first	Article 4(1), (3) to (12), Article 4(15), (17), (20), (23) and (31) to (35), Article 13(4) and (5), Article 14, Article 16(3) and Article 22(3) shall apply from [the day after the date in the first	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	subparagraph of Article 31(1)].	subparagraph of Article 31(1)].	subparagraph of Article 31(1)].	subparagraph of Article 31(1)]. Text Origin: Commission Proposal	
Article 33					
337	Article 33 Addressees	Article 33 Addressees	Article 33 Addressees	Article 33 Addressees Text Origin: Commission Proposal	
Article 33, first paragraph					
338	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	This Directive is addressed to the Member States. Text Origin: Commission Proposal	
Formula					
339	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels, Text Origin: Commission Proposal	
Formula					
340	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament Text Origin: Commission Proposal	
Formula					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
G 341	The President	The President	The President	The President Text Origin: Commission Proposal	G
Formula					
G 342	For the Council	For the Council	For the Council	For the Council Text Origin: Commission Proposal	G
Formula					
G 343	The President	The President	The President	The President Text Origin: Commission Proposal	G

ANNEXES to the Proposal for a Directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe (recast) 2022/0347(COD)

Note: This document contains compromise proposals provisionally agreed or discussed during ITMs and is based on the Commission text. Parts of the text that are not marked in green/yellow have not yet been discussed or remain open, and the amendments of the EP and the Council to those parts are maintained.

ANNEX I

AIR QUALITY STANDARDS

SECTION 1 - LIMIT VALUES FOR THE PROTECTION OF HUMAN HEALTH

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

Averaging period	Limit value
PM_{2.5}	
1 day	25 µg/m ³ not to be exceeded more than 18 times per calendar year
Calendar year	10 µg/m ³
PM₁₀	
1 day	45 µg/m ³ not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m ³
Nitrogen dioxide (NO₂)	
1 hour	200 µg/m ³ not to be exceeded more than once per calendar year
1 day	50 µg/m ³ not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m ³
Sulphur dioxide (SO₂)	
1 hour	350 µg/m ³ not to be exceeded more than once per calendar year
1 day	50 µg/m ³ not to be exceeded more than 18 times per calendar year
Calendar year	20 µg/m ³
Benzene	
Calendar year	3,4 µg/m ³
Carbon monoxide (CO)	
maximum daily 8-hour mean ⁽¹⁾	10 mg/m ³
1 day	4 mg/m ³ not to be exceeded more than 18 times per calendar year
Lead (Pb)	
Calendar year	0,5 µg/m ³
Arsenic (As)	
Calendar year	6,0 ng/m ³
Cadmium (Cd)	
Calendar year	5,0 ng/m ³
Nickel (Ni)	
Calendar year	20 ng/m ³
Benzo(a)pyrene	
Calendar year	1,0 ng/m ³

- (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.

Table 2 – Limit values for the protection of human health to be attained by [INSERT TRANSPOSITION DEADLINE]

Averaging period	Limit value
PM_{2.5}	
Calendar year	25 µg/m ³
PM₁₀	
1 day	50 µg/m ³ not to be exceeded more than 35 times per calendar year
Calendar year	40 µg/m ³
Nitrogen dioxide (NO₂)	
1 hour	200 µg/m ³ not to be exceeded more than 18 times per calendar year
Calendar year	40 µg/m ³
Sulphur dioxide (SO₂)	
1 hour	350 µg/m ³ not to be exceeded more than 24 times per calendar year
1 day	125 µg/m ³ not to be exceeded more than 3 times per calendar year
Benzene	
Calendar year	5 µg/m ³
Carbon monoxide (CO)	
maximum daily 8-hour mean ⁽¹⁾	10 mg/m ³
Lead (Pb)	
Calendar year	0,5 µg/m ³
Arsenic (As)	
Calendar year	6,0 ng/m ³
Cadmium (Cd)	
Calendar year	5,0 ng/m ³
Nickel (Ni)	
Calendar year	20 ng/m ³
Benzo(a)pyrene	
Calendar year	1,0 ng/m ³

(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.

SECTION 2 - OZONE TARGET VALUES AND ZONE LONG-TERM OBJECTIVES

A. Definitions and criteria

The ‘Accumulated Ozone exposure over a Threshold of 40 parts per billion’ (AOT40), expressed in ‘(µg/m³) × hours’, means the sum of the difference between hourly concentrations greater than 80 µg/m³ (= 40 parts per billion) and 80 µg/m³ over a given period using only the 1-hour values measured between 8.00 and 20.00 Central European Time (CET) each day.

B. Ozone target values

Objective	Averaging period	Target value
Protection of human health	Maximum daily 8-hour mean ⁽¹⁾	120 µg/m ³ 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 ³ × h averaged over 5 years ⁽²⁾

(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.

C. Long-term objectives for ozone (O₃)

Objective	Averaging period	Long-term objective
Protection of human health	Maximum daily 8-hour mean within a calendar year	100 µg/m ³ ⁽¹⁾
Protection of vegetation	May to July	AOT40 (calculated from 1 h values) 6 000 µg/m ³ × h

(1) 99th percentile (i.e. 3 exceedance days per year).

SECTION 3 - CRITICAL LEVELS FOR THE PROTECTION OF VEGETATION AND NATURAL ECOSYSTEMS

Averaging period	Critical level
Sulphur dioxide (SO₂)	
Calendar year and winter (1 October to 31 March)	20 µg/m ³
Oxides of nitrogen (NO_x)	
Calendar year	30 µg/m ³ NO _x

SECTION 4 - ALERT AND INFORMATION THRESHOLDS

A. Alert thresholds for pollutants other than ozone

To be measured over 3 consecutive hours in the case of sulphur dioxide and nitrogen dioxide, and over three consecutive days for PM₁₀ and PM_{2.5}, at locations representative of air quality over at least 100 km² or an entire zone, whichever is the smaller.

Pollutant	Alert threshold
Sulphur dioxide (SO ₂)	500 µg/m ³
Nitrogen dioxide (NO ₂)	400 µg/m ³
PM _{2.5}	50 µg/m ³
PM ₁₀	90 µg/m ³

B. Information and alert thresholds for ozone

Purpose	Averaging period	Threshold
Information	1 hour	180 µg/m ³
Alert	1 hour ⁽¹⁾	240 µg/m ³

(1) For the implementation of Article 20, the exceedance of the threshold is to be measured or predicted for 3 consecutive hours.

SECTION 5 - AVERAGE EXPOSURE REDUCTION OBLIGATION FOR PM_{2.5} AND NO₂

A. Average exposure indicator

The Average Exposure Indicator expressed in µg/m³ (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.

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

The AEI is used for the examination of whether the average exposure reduction obligation is met.

B. Average exposure reduction obligations

As from 2030, the AEI shall not exceed a level that is:

- for 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 PM_{2.5} defined in Section C.
- for NO₂, 25% lower than the AEI was 10 years before, unless it is already no higher than the average exposure concentration objective for NO₂ defined in Section C.

C. Average exposure concentration objectives

The average exposure concentration objective shall be the following level of the AEI.

Pollutant	Average exposure concentration objective
PM _{2.5}	AEI = 5 µg/m ³
NO ₂	AEI = 10 µg/m ³

ANNEX II

ASSESSMENT THRESHOLDS

SECTION 1 - ASSESSMENT THRESHOLDS FOR HEALTH PROTECTION

Pollutant	Assessment threshold (annual mean, unless specified)
PM_{2.5}	5 µg/m ³
PM₁₀	15 µg/m ³
Nitrogen dioxide (NO₂)	10 µg/m ³
Sulphur dioxide (SO₂)	40 µg/m ³ (24-hour mean) ⁽¹⁾
Benzene	1,7 µg/m ³
Carbon monoxide (CO)	4 mg/m ³ (24-hour mean) ⁽¹⁾
Lead (Pb)	0,25 µg/m ³
Arsenic (As)	3,0 ng/m ³
Cadmium (Cd)	2,5 ng/m ³
Nickel (Ni)	10 ng/m ³
Benzo(a)pyrene	0,12 ng/m ³
Ozone (O₃)	100 µg/m ³ (maximum 8-hour mean) ⁽¹⁾

(1) 99th percentile (i.e. 3 exceedance days per year).

SECTION 2 - ASSESSMENT THRESHOLDS FOR THE PROTECTION OF VEGETATION AND NATURAL ECOSYSTEMS

Pollutant	Assessment threshold (annual mean, unless specified)
Sulphur dioxide (SO₂)	8 µg/m ³ (average between 1 October and 31 March)
Oxides of nitrogen (NO_x)	19,5 µg/m ³

ANNEX III

MINIMUM NUMBERS OF SAMPLING POINTS FOR FIXED MEASUREMENT

A. Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health, ozone target values, long-term objectives, information thresholds and alert thresholds

1. Diffuse sources

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)

Population of zone (thousands)	Minimum number of sampling points if concentrations exceed the assessment threshold					
	NO ₂ , SO ₂ , CO, benzene	Sum PM ⁽¹⁾ [column deleted]	Minimum PM ₁₀ , PM _{2.5}	Minimum PM _{2.5}	Pb, Cd, As, Ni in PM ₁₀	Benzo(a)pyrene in PM ₁₀
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	2-3	2-3	2	2
1 500 - 1 999	5	7	3	3-4	2	2
2 000 - 2 749	6	8	3-4	3-4	2	3
2 750 - 3 749	7	10	4-5	4-5	2	3
3 750 - 4 749	8	11	4-5	4-6	3	4
4 750 - 5 999	9	13	5-6	5-7	4	5
6 000+	10	15	5-7	5-8	5	5

(1) The number of PM_{2.5} and NO₂ sampling points in the urban background locations of urban areas shall meet the requirements set out in Point B.

Table 2 - Minimum number of sampling points for fixed measurement to assess compliance with ozone target values, long-term objectives and information and alert thresholds where such measurements are the sole source of information (for ozone only)

Population (thousands) of zone	Minimum number of sampling points if the number of sampling points is reduced by up to 50% ⁽¹⁾
< 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.

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)

Population of zone (thousands)	Minimum number of sampling points if the number of sampling points is reduced by up to 50%					
	NO ₂ , SO ₂ , CO, benzene	Sum PM ⁽¹⁾ [column deleted]	Minimum PM ₁₀ , PM _{2.5}	Minimum PM _{2.5}	Pb, Cd, As, Ni in PM ₁₀	Benzo(a)pyrene in PM ₁₀
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, 2	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, 3	1	2
3 750 - 4 749	4	6	2, 3	2, 3	2	2
4 750 - 5 999	5	7	3	3, 4	2	3
6 000+	5	8	3, 4	3, 4	3	3

(1) The number of PM_{2.5} and NO₂ sampling points in the urban background locations of urban areas shall meet the requirements set out in Point B.

Table 4 - Minimum number of sampling points for fixed measurements to assess compliance with ozone target values, long-term objectives and information and alert thresholds in zones where a 50% reduction of such measurements applies (for ozone only)

Population of zone (thousands)	Minimum number of sampling points if the number of sampling points is reduced by up to 50% ⁽¹⁾
< 250	1
< 500	1
< 1 000	1
< 1 500	2
< 2 000	2
< 2 750	3
< 3 750	3
≥ 3 750	1 additional sampling point per 4 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.

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 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.] [ITM 7/12/2023. COM compromise proposal: this sentence should be deleted if hotspots are included in Annex IV Section B.2]

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 required where the highest concentrations occur or at air pollution hotspots required where the highest concentrations occur required shall not differ by more than a factor of 2. The number of PM_{2.5} and nitrogen dioxide sampling points at urban background locations shall meet the requirements set out in Point B. [ITM 7/12/2023. COM compromise proposal: this edit required if hotspots are included in Annex IV Section B.2]

In the cases where there is only 1 sampling point required in an air quality zone, this shall be in the area with the highest concentrations to which the population is likely to be directly or indirectly exposed. [ITM 7/12/2023. COM compromise proposal: this edit required if hotspots are included in Annex IV Section B.2]

Pending discussion on hotspots

2. Point sources

For the assessment of pollution in the vicinity of point sources, the number of sampling points for fixed measurement shall be calculated taking into account emission densities, the likely distribution patterns of ambient-air pollution and the potential exposure of the population. Such sampling points *may* be sited such that the application of BAT (Best Available Techniques) as defined by Directive 2010/75/EU can be monitored.

Commented [A1]: To be checked and confirmed by EP

B. Minimum number of sampling points for fixed measurement to assess compliance with the PM_{2.5} and NO₂ average exposure reduction obligations for the protection of human health

For PM_{2.5} and NO₂ each, *at least* one sampling point per NUTS 1 region as described in Regulation (EC) No 1059/2003 *average exposure territorial unit*, and at least *one* 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.

C. Minimum number of sampling points for fixed measurements to assess compliance with critical levels for SO₂ and NO_x, and with long-term objectives for ozone

1. Critical levels for the protection of vegetation and natural ecosystems

If maximum concentrations exceed the critical levels	1 sampling point every 20 000 km ²
If maximum concentrations exceed the assessment threshold	1 sampling point every 40 000 km ²

In island zones the number of sampling points for fixed measurement shall be calculated taking into account the likely distribution patterns of ambient air pollution and the potential exposure of vegetation.

2. Long-term objective for the protection of human health and ~~the environment~~ vegetation for ozone

For rural background measurement Member States shall ensure at least 1 sampling point per 50 000 km² as an average density over all zones per country. For complex terrain 1 sampling point per 25 000 km² is recommended

D. Minimum number of sampling points for fixed measurements of ultrafine particles where high concentrations are likely to occur

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 for fixed measurements at a location where high UFP concentrations are likely to occur.

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.

ANNEX IV
**ASSESSMENT OF AMBIENT AIR QUALITY
AND LOCATION OF SAMPLING POINTS**

A. General

Ambient air quality shall be assessed in all zones as follows:

1. Ambient air quality shall be assessed at all locations except those listed in paragraph 2.

Points B and C shall apply to the location of sampling points. The principles established by Points B and C shall also apply in so far as they are relevant in identifying the specific locations in which concentration of the relevant pollutants are established where ambient air quality is assessed through indicative measurements or modelling **applications**. [agreed at ITM 29/11]

2. Compliance with the limit values directed at the protection of human health shall not be assessed at the following locations:

- (a) any locations situated within areas where members of the public do not have access and there is no fixed habitation;
- (b) in accordance with Article 4(1), on factory premises or at industrial sites to which all relevant provisions concerning health and safety at work apply;
- (c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian **or cycling** access to the central reservation. [wording discussed at ITM 29/11/2023]

B. Macroscale siting of sampling points

1. Information

The siting of sampling points shall take into account national gridded data of emissions reported under Directive (EU) 2016/2284 of the European Parliament and of the Council¹, ~~and emission data reported under the European Pollutant Release and Transfer Register and, where available, local emission inventories.~~

2. Protection of human health

- (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:
 - (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 air pollution hotspots**, [ITM 7/12/2023: compromise proposal by COM – hotspots need further discussion]

¹ Directive (EU) 2016/2284 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).

(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** [ITM 7/12/2023: COM compromise proposal to be checked by Council]

(iii) for arsenic, cadmium, **lead**, mercury, nickel and polycyclic aromatic hydrocarbons, the deposition rates representing the indirect exposure of the population through the food chain;

- (b) sampling points shall in general be sited in such a way as to avoid measuring micro-environments in the immediate vicinity of the sampling point, which means that a sampling point must, **where feasible**, be sited in such a way that the air sampled is representative of air quality for a street segment no less than 100 m in length at locations measuring the contribution of road traffic, **at least [250 m × 250 m] at locations measuring the contribution from domestic heating**, and at least 250 m × 250 m at locations measuring the contribution from industrial sites or other sources such as ports or airports, where feasible; [ITM 7/12/2023: COM compromise proposal. Figure not acceptable to Council, to be further discussed]
- (c) **sampling points in** urban background locations shall be located so that their pollution level is influenced by the integrated contribution from all **relevant** 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;

(ca) where the objective is to assess air pollution hotspots, sampling points shall be installed downwind from the main source within the relevant predominant wind direction; where relevant, such sampling points shall be located in areas where sensitive population and vulnerable groups and at-risk communities population are 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 residential areas, schools, hospitals, assisted living facilities, or office areas; [ITM 7/12/2023: COM compromise proposal – not acceptable as such to Council pending discussion on hotspots]

(d) where the objective is to assess the contribution of domestic heating, at least one sampling points shall be installed downwind from the main sources within the relevant predominant main wind direction of these sources;

(e) sampling points in rural background locations where the objective is to assess rural background levels, the sampling point shall be located so that their pollution level is not be influenced by the integrated contribution from relevant sources but not by urban areas or industrial sites in its their vicinity, i.e. sites closer than 5 km; [EP/COM compromise proposal. To be checked by Council]

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

- (g) sampling points shall, where possible, also be representative of similar locations not in the immediate vicinity of the sampling points. In the zones where the level of air pollutants is above the assessment threshold, the area which each sampling point is representative of shall be clearly defined. The whole zone shall be covered by the different areas of representativeness defined for each sampling points;
- (h) account shall be taken of the need to locate sampling points on islands where that is necessary for the protection of human health;
- (i) sampling points measuring arsenic, cadmium, **lead**, mercury, nickel and polycyclic aromatic hydrocarbons shall, where possible, be co-located with sampling points for PM₁₀.

~~When defining the spatial representativeness area the following associated characteristics shall be considered:~~

- ~~(a) the geographical area may include non-contiguous domains but shall be limited in its extension by the borders of the air quality zone under consideration;~~
- ~~(b) if assessed via modelling, a fit for purpose modelling system shall be used and modelled concentrations shall be used at station location to prevent systematic model measurement biases from distorting the assessment;~~
- ~~(c) other metrics than absolute concentrations can be considered (e.g. percentiles);~~
- ~~(d) the tolerance levels and possible cut-offs for the different pollutants may change depending on the station characteristics;~~
- ~~(e) the annual average of the observed pollutant concentration shall be used as the air quality metric for a specific year.~~

3. Protection of vegetation and natural ecosystems

Sampling points targeted at the protection of vegetation and natural ecosystems shall be sited more than 20 km away from urban areas or more than 5 km away from other built-up areas, industrial sites or motorways or major roads with traffic counts of more than 50 000 vehicles per day, which means that a sampling point must be sited in such a way that the air sampled is representative of air quality in a surrounding area of at least 1 000 km². A Member State may provide for a sampling point to be sited at a lesser distance or to be representative of air quality in a less extended area, taking account of geographical conditions or of the opportunities to protect particularly vulnerable areas.

Account shall be taken of the need to assess air quality on islands.

4. Additional criteria for ozone sampling points

The following apply to fixed and indicative measurements:

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,	1 to 10 km ²	Away from the influence of local emissions such as traffic, petrol stations, etc.; vented locations where well mixed levels can be measured;

	i.e. where population density and ozone concentration are relatively high and representative of the exposure of the general population		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 ²	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 ²)	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 ²)	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.

Commented [A2]: EP to confirm deletion

Commented [A3]: EP to confirm deletion

(1) Sampling points shall, where possible, be representative of similar locations not in the immediate vicinity of the sampling points.

The locations of sampling points for rural locations and rural background locations for ozone assessment shall, where appropriate, be coordinated with the monitoring requirements of Commission Regulation (EC) No 1737/2006¹.

5. Criteria for determining the spatial representativeness area of sampling points

When determining the spatial representativeness area the following characteristics shall be considered:

- (a) the geographical area may include non-contiguous domains but shall be limited in its extension by the borders of the air quality zone under consideration;
- (b) if assessed via modelling applications, a fit-for-purpose modelling system shall be used and modelled concentrations shall be used at station location to prevent systematic model-measurement biases from distorting the assessment;
- (c) other metrics than absolute concentrations may be considered (e.g. percentiles);
- (d) the tolerance levels and possible cut-offs for the different pollutants may vary depending on the station characteristics;
- (e) the annual average of the observed pollutant concentration shall be used as the air quality metric for a specific year

C. Micro-scale siting of sampling points

[Points b), e) and f) remain open]

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

- (a) the flow around the sampling point inlet shall be unrestricted (in general free in an arc of at least 270°, or, for sampling points at the building line, of at least 180°) without any obstructions affecting the airflow in the vicinity of the inlet (at least 1,5 m away from buildings, balconies, trees and other obstacles, and at least 0,5 m from the nearest building in the case of sampling points representing air quality at the building line);
- (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;
- (c) the inlet probe shall not be positioned in the immediate vicinity of sources in order to avoid the direct intake of emissions unmixed with ambient air to which members of the public are unlikely to be exposed;

¹ Commission Regulation (EC) No 1737/2006 of 7 November 2006 laying down detailed rules for the implementation of Regulation (EC) No 2152/2003 of the European Parliament and of the Council concerning monitoring of forests and environmental interactions in the Community (OJ L 334, 30.11.2006, p. 1).

- (d) the sampler's exhaust outlet shall be positioned so that recirculation of exhaust air to the sampler inlet is avoided;
- (e) for all pollutants, sampling probes **focused on measuring contributions from road traffic** 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;
- (f) for the deposition measurements in rural background locations, the guidelines and criteria of EMEP shall apply as far as practicable;

(g) for ozone measurement, Member States shall ensure that the sampling point is positioned well away from sources such as furnaces and incineration flues, and more than 10 m from the nearest road, with distance increasing as a function of traffic intensity;

(h) ~~The~~ the following factors may also be taken into account:

(i) ~~a~~ interfering sources;

(ii) ~~b~~ security;

(iii) ~~c~~ access;

(iv) ~~d~~ availability of electrical power and telephone communications;

(v) ~~e~~ visibility of the site in relation to its surroundings;

(vi) ~~f~~ safety of the public and operators;

(vii) ~~g~~ the desirability of co-locating sampling points for different pollutants;

(viii) ~~h~~ planning requirements;

D. Site selection, its review and documentation [ITM 29/11/2023] [EP proposals in yellow subject to agreement by Council]

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 **applications** or indicative measurements.
2. The documentation shall include the location of the sampling points through spatial coordinates, detailed maps and **compass point photographs of the area surrounding monitoring sites, and** shall include information on the spatial representativeness of all sampling points.
3. The documentations shall include **evidence as regards reasons for the network design and demonstrating compliance with provisions of Points B and C of this Annex, in particular:**
 - a) **justification for the selection of locations representative of the highest levels of pollution in the zone or agglomeration for each pollutant;**

b) reasons for 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.

4. Where indicative measurements, modelling **applications** 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.
5. Where indicative measurements, modelling **applications** 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 **and, where available, local emission inventories**.
6. For ozone measurements, Member States shall apply proper screening and interpretation of the monitoring data in the context of the meteorological and photochemical processes affecting the ozone concentrations measured at the respective sites.
7. When applicable, the list of ozone precursors substances, the objective sought for measuring them and the methods used to sample and measure them shall be part of the documentation.
8. When applicable, information of the measurement methods used for the measurement of the chemical composition of PM_{2.5} shall also be part of the documentation.
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 **applications** or indicative measurements. **Where such a review finds that the network design and monitoring site locations are no longer valid, the competent authority shall update them as soon as possible.**
10. The documentation shall be updated following every review and other relevant changes to the monitoring network, and shall be made public through appropriate communication channels

ANNEX V

DATA QUALITY OBJECTIVES

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

1. Uncertainty for measurement and modelling of long-term mean concentrations (annual mean)

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements ⁽¹⁾		Maximum ratio of uncertainty of modelling and objective estimation over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	Maximum ratio
PM_{2.5}	3,0 µg/m ³	30 %	4,0 µg/m ³	40 %	1,7
PM₁₀	4,0 µg/m ³	20 %	6,0 µg/m ³	30 %	1,3
NO₂ / NO_x	6,0 µg/m ³	30 %	8,0 µg/m ³	40 %	1,4
Benzene	0,75 µg/m ³	25 %	1,2 µg/m ³	35 %	1,7
Lead	0,125 µg/m ³	25 %	0,175 µg/m ³	35 %	1,7
Arsenic	2,4 ng/m ³	40 %	3,0 ng/m ³	50 %	1,1
Cadmium	2,0 ng/m ³	40 %	2,5 ng/m ³	50 %	1,1
Nickel	8,0 ng/m ³	40 %	10,0 ng/m ³	50 %	1,1
Benzo(a)pyrene	0,5 ng/m ³	50 %	0,6 ng/m ³	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.

2. Uncertainty for measurement and modelling of short-term mean concentrations

Air pollutant	Maximum uncertainty of fixed measurements		Maximum uncertainty of indicative measurements ⁽¹⁾		Maximum ratio of uncertainty of modelling and objective estimation over uncertainty of fixed measurements
	Absolute value	Relative value	Absolute value	Relative value	Maximum ratio
PM_{2.5} (24-hour)	6,3 µg/m ³	25 %	8,8 µg/m ³	35 %	2,5
PM₁₀ (24-hour)	11,3 µg/m ³	25 %	22,5 µg/m ³	50 %	2,2
NO₂ (daily)	7,5 µg/m ³	15 %	12,5 µg/m ³	25 %	3,2
NO₂ (hourly)	30 µg/m ³	15 %	50 µg/m ³	25 %	3,2
SO₂ (daily)	7,5 µg/m ³	15 %	12,5 µg/m ³	25 %	3,2
SO₂ (hourly)	52,5 µg/m ³	15 %	87,5 µg/m ³	25 %	3,2
CO (24-hour)	0,6 mg/m ³	15 %	1,0 mg/m ³	25 %	3,2
CO (8-hour)	1,0 mg/m ³	10 %	2,0 mg/m ³	20 %	4,9
Ozone (peak season): uncertainty of the 8h values	10,5 µg/m ³	15 %	17,5 µg/m ³	25 %	1,7
Ozone (8h mean)	18 µg/m ³	15 %	30 µg/m ³	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.

The uncertainty for measurements (expressed at a 95 % confidence level) of the assessment methods shall be calculated in line with the respective EN standard of each pollutant. For methods where no standard is available, the uncertainty of the assessment method shall be evaluated in accordance with the principles of the Joint Committee for Guidance in Metrology (JCGM) 100:2008 'Evaluation of measurement data - Guide to the Expression of Uncertainty in Measurement' and the methodology in Part 5 of ISO 5725:1998. For indicative measurements, uncertainty shall be calculated according to the guidance on the demonstration of equivalence referred to in Point B of Annex VI.

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 vegetation and natural ecosystems.

The uncertainty of measurement data used for ambient air quality assessment shall not exceed either the absolute value or the relative value expressed in this Section.

The maximum uncertainty of modelling is set to the uncertainty for fixed measurements multiplied by the applicable maximum ratio. The modelling quality objective (i.e. a modelling

quality indicator less or equal to 1) shall be verified at least at 90% of the available monitoring points, over the assessment area and period considered. At a given monitoring point, the modelling quality indicator shall be calculated as the ratio of the root mean square error(s) between modelling results and measurements over the square root of the quadratic sum(s) of the modelling and measurement uncertainties, over an entire assessment period. Note that the sum will reduce to a single value when annual means are considered. All fixed measurements meeting the data quality objectives (i.e. uncertainty of measurement and data coverage of measurement as specified in Sections A and B of this Annex, respectively) located in the modelling assessment area shall be used for the evaluation of uncertainty of modelling. Note that the maximum ratio shall be interpreted as being applicable over the entire concentration range.

For short-term mean concentrations, the maximum uncertainty of measurement data used to assess the modelling quality objective shall be the absolute uncertainty calculated using the relative value expressed in this Section, above the limit value and shall decrease linearly from the absolute value at the limit value, to a threshold at zero concentration¹. Both the short-term and long-term modelling quality objectives shall be fulfilled.

For modelling of annual mean concentrations of benzene, lead, arsenic, cadmium, nickel and benzo(a)pyrene, the maximum uncertainty of measurement data used for assessing the modelling quality objective shall not exceed the relative value expressed in this Section.

For modelling of annual mean concentrations of PM_{2.5}, PM₁₀, and nitrogen dioxide the maximum uncertainty of measurement data used for assessing the modelling quality objective shall not exceed either the absolute value or the relative value expressed in this Section.

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.

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.

¹ The threshold shall be set to 4, 3, 10, 3 and 5 µg/m³ for PM₁₀, PM_{2.5}, O₃, NO₂ and SO₂, respectively and 0.5 mg/m³ for CO. These values represent the state of knowledge and shall be regularly updated at least every 5 years, to reflect developments in the state-of-art.

B. Data coverage of measurements for ambient air quality assessment

“Data coverage” refers to the proportion of the measurement period for which valid measurement data are available, expressed as a percentage.

Air pollutant	Minimum data coverage			
	Fixed measurements		Indicative measurements	
	Annual means	1-hour, 8-hour or 24-hour means ⁽¹⁾	Annual means	1-hour, 8-hour or 24-hour means ⁽¹⁾
SO ₂ , NO ₂ /NO _x , CO, O ₃	85 % ⁽²⁾	75% ⁽³⁾	13 %	50 % ⁽⁴⁾
PM ₁₀ , PM _{2.5}	85 %	75%	13 %	50%
Benzene	85 %	-	13 %	-
Benzo(a)pyrene, polycyclic aromatic hydrocarbons (PAH), total gaseous mercury	30 %	-	13 %	-
As, Cd, Ni, Pb	45 %	-	13 %	-
BC, Ammonia (NH ₃), UFP, particle size number distribution of UFP	80 %	-	13 %	-
Total Deposition	-	-	30%	-

(1) For O₃ and CO, the calculation of the ‘maximum daily 8-hour mean’ for any specific day requires a minimum 75% of the hourly running eight-hour averages (i.e. 18 eight-hour averages per day).

(2) For O₃, minimum data coverage requirements are to be met both for the full calendar year, and for the periods of April to September, and October to March, respectively.

Assessment of the AOT40 for ozone minimum data coverage requirements are to be met during the time period defined for calculating the AOT40 value.

(3) For the assessment of annual mean values, Member States may apply random measurements instead of continuous measurements if they can demonstrate to the Commission that the uncertainty, including the uncertainty due to random sampling, meets the quality objectives in the table and the time coverage is still larger than the minimum data coverage for indicative measurements. Random sampling must be evenly distributed over the year in order to avoid skewing of results. The uncertainty due to random sampling may be determined by the procedure laid down in ISO 11222 (2002) ‘Air Quality — Determination of the Uncertainty of the Time Average of Air Quality Measurements’.

(4) For O₃, minimum data coverage applies for the period of April to September (no criterium of minimum data coverage is required during the winter period).

Fixed measurements of SO₂, NO₂, CO, O₃, PM₁₀, PM_{2.5} and benzene are to be carried out continuously during the full calendar year.

For the other cases, measurements are to be evenly distributed over the calendar year (or over the April-September period for indicative measurements of O₃). 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 pollutant and measurement method/frequency.

For the assessment of annual mean values via indicative measurements, Member States may apply random measurements instead of continuous measurements if they can demonstrate that the uncertainty, including the uncertainty due to random sampling, meets the required data quality objectives and minimum data coverage for indicative measurements. Such random sampling shall be evenly distributed over the year in order to avoid skewing of results. The uncertainty due to random sampling may be determined by the procedure laid down in ISO 11222 (2002) 'Air Quality — Determination of the Uncertainty of the Time Average of Air Quality Measurements'.

The requirements for minimum data coverage do not include loss(es) of data due to the regular calibration or the normal maintenance of the instrumentation. Such maintenance shall not take place during pollution peak periods.

24-hour sampling is required for the measurement of benzo(a)pyrene and other polycyclic aromatic hydrocarbons. Individual samples taken over a period of up to 1 month may be combined and analysed as a composite sample, provided the method ensures that the samples are stable for that period. The three congeners benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene can be difficult to resolve analytically. In such cases, they can be reported as a sum together. Sampling must be spread evenly over the weekdays and the year. For the measurement of deposition rates monthly, or weekly, samples throughout the year are recommended.

Furthermore, those provisions on individual samples shall also apply to arsenic, cadmium, nickel and total gaseous mercury. Moreover, sub-sampling of PM₁₀ filters for metals for subsequent analysis is allowed, providing there is evidence that the sub-sample is representative of the whole and that the detection sensitivity is not compromised when compared with the relevant data quality objectives. As an alternative to daily sampling, weekly sampling for metals in PM₁₀ is allowed provided that the collection characteristics are not compromised.

Member States may use wet sampling only, instead of bulk sampling, if they can demonstrate that the difference between them is within 10 %. Deposition rates shall generally be given as µg/m² per day.

C. Methods for assessing compliance and estimating statistical parameters to account for low data coverage or significant data losses

An assessment of compliance with the relevant limit and ozone target value shall be carried out regardless of whether the data quality objectives are achieved, provided the available data allows for a conclusive assessment. In cases relating to the short-term limit and ozone target values, measurements that only cover a fraction of the calendar year, and that have not delivered sufficient valid data as required by Point B, may still constitute non-compliance. Where this is the case, and there are no clear grounds to doubt the quality of the valid data acquired, this shall be considered an exceedance of the limit or target value and be reported as such.

D. Results of air quality assessment

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

- (a) a description of assessment activities carried out,
- (b) the specific methods used, with references to descriptions of the method,
- (c) the sources of data and information,
- (d) a description of results, including uncertainties and, in particular, the extent of any area or, if relevant, the length of road within the zone over which concentrations exceed any limit value, ozone target value or long-term objective, and of any area within which concentrations exceed the assessment threshold,
- (e) the population potentially exposed to levels in excess of any limit value for protection of human health.

E. Quality assurance for ambient air quality assessment. Data validation

[EP compromise proposal in yellow subject to agreement by Council]

1. To ensure accuracy of measurements and compliance with the data quality objectives laid down in Point A, the appropriate competent authorities and bodies designated pursuant to Article 5 shall ensure the following:

- (a) that all measurements undertaken in relation to the assessment of ambient air quality pursuant to Article 8 are traceable in accordance with the requirements set out in the harmonised standard for testing and calibration laboratories;
- (b) that institutions operating networks and individual sampling points have an established quality assurance and quality control system which provides for regular maintenance and technical checks to assure the continued accuracy of measuring devices and that they remain operational. The quality system shall be reviewed as necessary and at least every 5 years by the relevant national reference
- (b) that institutions operating networks and individual sampling points have an established quality assurance and quality control system which provides for regular maintenance to assure the continued accuracy of measuring devices. The quality system shall be reviewed as necessary and at least every 5 years by the relevant national reference laboratory;

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- (c) that a quality assurance/quality control process is established for the process of data collection and reporting and that organisations appointed for this task actively participate in the related Union-wide quality assurance programmes;
 - (d) that the national reference laboratories are appointed by the appropriate competent authority or body designated pursuant to Article 5 of this Directive and are accredited for the reference methods referred to in Annex VI to this Directive, at least for those pollutants for which concentrations are above the assessment threshold, according to the relevant harmonised standard for testing and calibration laboratories, the reference to which has been published in the *Official Journal of the European Union* pursuant to Article 2(9) of Regulation (EC) No 765/2008 of the European Parliament and of the Council¹ setting out the requirements for accreditation and market surveillance. These laboratories shall also be responsible for the coordination in Member State's territory of the Union-wide quality assurance programmes to be organised by the Commission's Joint Research Centre and shall also be responsible for coordinating, on the national level, the appropriate use of reference methods, and the demonstration of equivalence of non-reference methods. National reference laboratories organising intercomparison on the national level shall also be accredited according to the relevant harmonised standard for proficiency testing;
 - (e) that the national reference laboratories take part at least every 3 years in the Union-wide quality assurance programmes organised by the Joint Research Centre for at least those pollutants for which concentrations are above the assessment threshold. Participation for other pollutants is recommended. If this participation produces unsatisfactory results, then the national laboratory shall demonstrate at the next participation in the intercomparison satisfactory remediation measures, and provide a report to the Joint Research Centre on these measures;
 - (f) that the national reference laboratories support the work done by the European network of National Reference Laboratories set up by the Commission's Joint Research Centre;
 - (g) that the European network of National Reference Laboratories be responsible for the periodic review, at least every 5 years, of the measurement uncertainties listed in the first two columns of Tables 1 and 2 of this Annex and subsequent proposal of any necessary changes to the Commission.

2. All reported data under Article 23 shall be deemed to be valid except data flagged as provisional.

¹ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

F. Promotion of harmonised air quality modelling approaches

1. To promote and support the harmonised use of scientifically sound air quality modelling approaches by the competent authorities with an emphasis on model application, the appropriate competent authorities and bodies designated pursuant to Article 5 shall ensure the following:

- (a) that the designated reference institutions participate in the European network of air quality modelling set up by the Commission's Joint Research Centre;
- (b) that best practices in air quality modelling identified by the network through scientific consensus are adopted in relevant applications of air quality modelling for the purposes of fulfilling legal requirements pursuant to Union legislation, without prejudice to model adaptations necessitated by singular circumstances;
- (c) that the quality of relevant applications of air quality modelling is periodically checked and improved through intercomparison exercises organised by the Commission's Joint Research Centre;
- (d) that the European network of air quality modelling be responsible for the periodic review, at least every 5 years, of the ratio of modelling uncertainties listed in the final columns of Tables 1 and 2 of this Annex and subsequent proposal of any necessary changes to the Commission.

ANNEX VI

REFERENCE METHODS FOR ASSESSMENT OF CONCENTRATIONS IN AMBIENT AIR AND DEPOSITION RATES

A. Reference methods for the assessment of concentrations of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter (PM₁₀ and PM_{2.5}), lead, benzene, carbon monoxide, arsenic, cadmium, mercury, nickel, polycyclic aromatic hydrocarbons, ozone and other pollutants in ambient air and deposition rates

1. Reference method for the measurement of sulphur dioxide in ambient air

The reference method for the measurement of sulphur dioxide is that described in EN 14212:2012 'Ambient air — Standard method for the measurement of the concentration of sulphur dioxide by ultraviolet fluorescence'.

2. Reference method for the measurement of nitrogen dioxide and oxides of nitrogen in ambient air

The reference method for the measurement of nitrogen dioxide and oxides of nitrogen is that described in EN 14211:2012 'Ambient air — Standard method for the measurement of the concentration of nitrogen dioxide and nitrogen monoxide by chemiluminescence'.

3. Reference method for the sampling and measurement of PM₁₀ in ambient air

The reference method for the sampling and measurement of PM₁₀ is that described in EN 12341:2014 'Ambient Air — Standard gravimetric measurement method for the determination of the PM₁₀ or PM_{2.5} mass concentration of suspended particulate matter'.

4. Reference method for the sampling and measurement of PM_{2.5} in ambient air

The reference method for the sampling and measurement of PM_{2.5} is that described in EN 12341:2014 'Ambient Air — Standard gravimetric measurement method for the determination of the PM₁₀ or PM_{2.5} mass concentration of suspended particulate matter'.

5. Reference method for the sampling and measurement of lead, arsenic, cadmium and nickel in ambient air

The reference method for the sampling of lead, arsenic, cadmium and nickel is that described in EN 12341:2014 'Ambient Air — Standard gravimetric measurement method for the determination of the PM₁₀ or PM_{2.5} mass concentration of suspended particulate matter'. The reference method for the measurement of lead, arsenic, cadmium and nickel is that described in EN 14902:2005 'Standard method for measurement of Pb/Cd/As/Ni in the PM₁₀ fraction of suspended particulate matter'.

6. Reference method for the sampling and measurement of benzene in ambient air

The reference method for the sampling and measurement of benzene is that described in EN 14662, parts 1 (2005), 2 (2005) and 3 (2016) 'Ambient air quality — Standard method for measurement of benzene concentrations'.

7. Reference method for the measurement of carbon monoxide in ambient air

The reference method for the measurement of carbon monoxide is that described in EN 14626:2012 'Ambient air — Standard method for the measurement of the concentration of carbon monoxide by non-dispersive infrared spectroscopy'.

8. Reference method for the sampling and measurement of polycyclic aromatic hydrocarbons in ambient air

The reference method for the sampling of polycyclic aromatic hydrocarbons in ambient air is described in EN 12341:2014 'Ambient Air — Standard gravimetric measurement method for the determination of the PM₁₀ or PM_{2.5} mass concentration of suspended particulate matter'. The reference method for the measurement of benzo(a)pyrene in ambient air is that described in EN 15549:2008 'Air quality — Standard method for the measurement of concentration of benzo[a]pyrene in ambient air'. In the absence of a CEN standard method for the other polycyclic aromatic hydrocarbons referred to in Article 8(6), Member States are allowed to use national standard methods or ISO methods such as ISO standard 12884.

9. Reference method for the sampling and measurement of mercury in ambient air

The reference method for the measurement of total gaseous mercury concentrations in ambient air is that described in EN 15852:2010 'Ambient air quality — Standard method for the determination of total gaseous mercury'.

10. Reference method for the sampling and analysis of the deposition of arsenic, cadmium, nickel, mercury and polycyclic aromatic hydrocarbons

The reference method for the determination of the deposition of arsenic, cadmium, and nickel is that described in EN 15841:2009 'Ambient air quality — Standard method for determination of arsenic, cadmium, lead and nickel in atmospheric deposition'.

The reference method for the determination of the deposition of mercury is that described in EN 15853:2010 'Ambient air quality — Standard method for determination of mercury deposition'.

The reference method for the determination of the deposition of benzo(a)pyrene and the other polycyclic hydrocarbons referred to in Article 8(6) is that described in EN 15980:2011 'Air quality - Determination of the deposition of benz[a]anthracene, benzo[b]fluoranthene, benzo[j]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, dibenz[a,h]anthracene and indeno[1,2,3-cd]pyrene'.

11. Reference method for the measurement of ozone in ambient air

The reference method for the measurement of ozone is that described in EN 14625:2012 'Ambient air — Standard method for the measurement of the concentration of ozone by ultraviolet photometry'.

12. Reference method for the sampling and measurement of volatile organic compounds that are ozone precursor substances in ambient air

In the absence of a European Committee for Standardization (CEN) standard method for sampling and measuring volatile organic compounds that are ozone precursor substances in ambient air other than benzene, Member States may choose the sampling and measuring methods they use, in accordance with Annex V and taking into account the measurement objectives set out in Section 2, Point A, of Annex VII. — [ITM 7/12/2023: VOCs and methane to be added in point 15. Pending wording proposal by COM]

13. Reference method for the sampling and measurement of elemental carbon and organic carbon in ambient air

The reference method for the sampling of elemental carbon and organic carbon is that describe in EN 12341:2014 'Ambient Air — Standard gravimetric measurement method for the determination of the PM₁₀ or PM_{2.5} mass concentration of suspended particulate matter'. The reference method for the measurement of elemental carbon and organic carbon in ambient air is that described in EN 16909:2017 'Ambient air - Measurement of elemental carbon (EC) and organic carbon (OC) collected on filters'.

14. Reference method for the sampling and measurement of NO₃⁻, SO₄²⁻, Cl⁻, NH₄⁺, Na⁺, K⁺, Mg²⁺, Ca²⁺ in PM_{2.5} in ambient air

The reference method for the sampling of elemental carbon and organic carbon is that describe in EN 12341:2014 'Ambient Air — Standard gravimetric measurement method for the determination of the PM₁₀ or PM_{2.5} mass concentration of suspended particulate matter'. The reference method for the measurement of NO₃⁻, SO₄²⁻, Cl⁻, NH₄⁺, Na⁺, K⁺, Mg²⁺, Ca²⁺ in PM_{2.5} in ambient air is that described in EN 16913:2017 'Ambient air - Standard method for measurement of NO₃⁻, SO₄²⁻, Cl⁻, NH₄⁺, Na⁺, K⁺, Mg²⁺, Ca²⁺ in PM_{2.5} as deposited on filters'.

15. Methods for the sampling and measurement of UFP, BC, size distribution of ultrafine particles, ammonia (NH₃), particulate and gaseous divalent mercury, nitric acid, levoglucosan and PM oxidative potential of particulate matter

In the absence of a European Committee for Standardization (CEN) standard method for sampling and measuring UFP, BC, size distribution of ultrafine particles, ammonia (NH₃), particulate and gaseous divalent mercury, nitric acid, levoglucosan and oxidative potential of particulate matter, Member States may choose the sampling and measuring methods they use, in accordance with Annex V and taking into account the measurement objectives of the measurement. Where international, CEN or national standard reference measurement methods or CEN technical specifications are available, these may be used. [ITM 7/12/2023: volatile organic compounds and methane to be added. Pending wording proposal by COM]

B. Demonstration of equivalence

1. A Member State may use any other method which it can demonstrate gives results equivalent to any of the reference methods referred to in Point A or, in the case of particulate matter, any other method which the Member State concerned can demonstrate displays a consistent relationship to the reference method, such as automatic measurement method that meets the requirements in standard EN 16450:2017 'Ambient air - Automated measuring systems for the measurement of the concentration of particulate matter (PM₁₀; PM_{2.5})'. In that event, the

results achieved by such other method must be corrected to produce results equivalent to those that would have been achieved by using the reference method.

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

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3. When assessing the acceptability of the report mentioned in point 2, the Commission will refer to its guidance on the demonstration of equivalence. Where Member States have been using interim factors to approximate equivalence, approximate equivalence shall be confirmed or amended with reference to that guidance.

4. Member States shall ensure that whenever appropriate, the correction is also applied retroactively to past measurement data in order to achieve better data comparability.

C. Standardisation

For gaseous pollutants, the volume must be standardised at a temperature of 293 K and an atmospheric pressure of 101,3 kPa. For particulate matter and substances to be analysed in particulate matter (including lead, arsenic, cadmium, lead, nickel and benzo(a)pyrene), the sampling volume refers to ambient conditions in terms of temperature and atmospheric pressure at the date of measurements.

When demonstrating that equipment meets the performance requirements of the reference methods listed in Point A, the competent authorities and bodies designated pursuant to Article 5 shall accept test reports issued in other Member States provided that the test laboratories are accredited by the relevant harmonised standard for testing and calibration laboratories.

The detailed test reports and all the results of the tests shall be available to other competent authorities or their designated bodies. Test reports shall demonstrate that the equipment meets all the performance requirements including where some environmental and site conditions are specific to a Member State and are outside the conditions for which the equipment has been already tested and type approved in another Member State.

D. Mutual recognition of data

When demonstrating that equipment meets the performance requirements of the reference methods listed in Point A, the competent authorities and bodies designated pursuant to Article 5 shall accept test reports issued in other Member States provided that the test laboratories are accredited by the relevant harmonised standard for testing and calibration laboratories.

The detailed test reports and all the results of the tests shall be available to other competent authorities or their designated bodies. Test reports shall demonstrate that the equipment meets all the performance requirements including where some environmental and site conditions are specific to a Member State and are outside the conditions for which the equipment has been already tested and type approved in another Member State.

E. Reference air quality modelling applications

In the absence of a CEN standard on modelling quality objectives, Member States may choose the modelling applications they use, in accordance with Annex V, Section F.

ANNEX VII

MONITORING OF MASS CONCENTRATION AND CHEMICAL COMPOSITION OF PM_{2.5}, OZONE PRECURSOR SUBSTANCES AND ULTRAFINE PARTICLES

SECTION 1 - MEASUREMENTS OF MASS CONCENTRATION AND CHEMICAL COMPOSITION OF PM_{2.5}

A. Objectives

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 applications also in urban areas.

B. Substances

Measurement of PM_{2.5} must include at least the total mass concentration and concentrations of appropriate compounds to characterise its chemical composition. At least the list of chemical species given below shall be included.

SO ₄ ²⁻	Na ⁺	NH ₄ ⁺	Ca ²⁺	elemental carbon (EC)
NO ₃ ⁻	K ⁺	Cl ⁻	Mg ²⁺	organic carbon (OC)

C. Siting

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

SECTION 2- MEASUREMENTS OF OZONE PRECURSOR SUBSTANCES

A. Objectives

The main objectives of measurements of ozone precursor substances are to analyse any trend in ozone precursors, to check the efficiency of emission reduction strategies, to check the consistency of emission inventories, to support the understanding of ozone formation and precursor dispersion processes, as well as the application of photochemical models, and to help attribute emission sources to observed pollution concentrations.

B. Substances

Measurement of ozone precursor substances shall include at least nitrogen oxides (NO and NO₂), **and, as appropriate, methane (CH₄) 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 **and may be complemented by other compounds of interest.**

(a) Member States may use the method which it considers suitable for the objective sought;

(b) the reference method as specified under Annex VI applies for nitrogen dioxide and oxides of nitrogen.

~~(c) methods that are being standardised by the CEN shall be used once available.~~

ITM 7/12/2023: Point 12 of Annex VI to be deleted and VOCs and methane to be added in Annex VI point 15 (Council mandate). COM will propose drafting.

A list of VOC recommended for measurement is given below:

Chemical family	Substance			
	Trivial name	IUPAC name	Formula	CAS number
Alcohols	Methanol	Methanol	CH ₄ O	67-56-1
	Ethanol	Ethanol	C ₂ H ₆ O	64-17-5
Aldehyde	Formaldehyde	Methanal	CH ₂ O	50-00-0
	Acetaldehyde	Ethanal	C ₂ H ₄ O	75-07-0
Alkynes	Methacrolein	2-Methylprop-2-enal	C ₄ H ₆ O	78-85-3
	Acetylene	Ethyne	C ₂ H ₂	74-86-2
Alkanes	Ethane	Ethane	C ₂ H ₆	74-84-0
	Propane	Propane	C ₃ H ₈	74-98-6
	n-Butane	Butane	C ₄ H ₁₀	106-97-8
	i-Butane	2-Methylpropane	C ₄ H ₁₀	75-28-5
	n-Pentane	Pentane	C ₅ H ₁₂	109-66-0
	i-Pentane	2-Methylbutane	C ₅ H ₁₂	78-78-4
	n-Hexane	Hexane	C ₆ H ₁₄	110-54-3
	i-Hexane	2-Methylpentane	C ₆ H ₁₄	107-83-5
	n-Heptane	Heptane	C ₇ H ₁₆	142-82-5
	n-Octane	Octane	C ₈ H ₁₈	111-65-9
	i-Octane	2,2,4-Trimethylpentane	C ₈ H ₁₈	540-84-1
Alkenes	Ethylene	Ethene	C ₂ H ₄	75-21-8
	Propene / Propylene	Propene	C ₃ H ₆	115-07-1
	1,3-Butadiene	Buta-1,3-diene	C ₄ H ₆	106-99-0
	1-Butene	But-1-ene	C ₄ H ₈	106-98-9
	Trans-2-Butene	(E)-but-2-ene	C ₄ H ₈	624-64-6
	cis-2-Butene	(Z)-but-2-ene	C ₄ H ₈	590-18-1
	1-Pentene	Pent-1-ene	C ₅ H ₁₀	109-67-1
	2-Pentene	(Z)-Pent-2-ene	C ₅ H ₁₀	627-20-3 (cis-2 pentene)
Aromatic hydrocarbons		(E)-Pent-2-ene		646-04-8 (trans-2 pentene)
	Benzene	Benzene	C ₆ H ₆	71-43-2
	Toluene / Methylbenzene	Toluene	C ₇ H ₈	108-88-3
	Ethyl benzene	Ethylbenzene	C ₈ H ₁₀	100-41-4
	m + p-Xylene	1,3-Dimethylbenzene (m-Xylene)	C ₈ H ₁₀	108-38-3 (m-Xylene)

		1,4-Dimethylbenzene (p-Xylene)		106-42-3 (p-Xylene)
	o-Xylene	1,2-Dimethylbenzene (o-Xylene)	C ₈ H ₁₀	95-47-6
	1,2,4-Trimethylebenzene	1,2,4-Trimethylbenzene	C ₉ H ₁₂	95-63-6
	1,2,3-Trimethylebenzene	1,2,3-Trimethylbenzene	C ₉ H ₁₂	526-73-8
	1,3,5-Trimethylebenzene	1,3,5-Trimethylbenzene	C ₉ H ₁₂	108-67-8
Ketones	Acetone	Propan-2-one	C ₃ H ₆ O	67-64-1
	Methyl ethyl ketone	Butan-2-one	C ₄ H ₈ O	78-93-3
	Methyl vinyl ketone	3-Buten-2-one	C ₄ H ₆ O	78-94-4
Terpenes	Isoprene	2-Methylbut-1,3-diene	C ₅ H ₈	78-79-5
	p-Cymene	1-Methyl-4-(1-methylethyl)benzene	C ₁₀ H ₁₄	99-87-6
	Limonene	1-methyl-4-(1-methylethenyl)-cyclohexene	C ₁₀ H ₁₆	138-86-3
	β-Myrcene	7-Methyl-3-methylene-1,6-octadiene	C ₁₀ H ₁₆	123-35-3
	α-Pinene	2,6,6-Trimethyl-bicyclo[3.1.1]hept-2-ene	C ₁₀ H ₁₆	80-56-8
	β-Pinene	6,6-Dimethyl-2-methylenebicyclo[3.1.1]heptane	C ₁₀ H ₁₆	127-91-3
	Camphene	2,2-dimethyl-3-methylenebicyclo[2.2.1]heptane	C ₁₀ H ₁₆	79-92-5
	Δ ³ -Carene	3,7,7-Trimethyl-bicyclo[4.1.0]hept-3-ene	C ₁₀ H ₁₆	13466-78-9
	1,8-Cineol	1,3,3 trimethyl 2 oxabicyclo[2,2,2]octane	C ₁₀ H ₁₈ O	470-82-6

C. Siting

Measurements shall be taken at sampling points set up in accordance with the requirements of this Directive and considered appropriate with regards to the monitoring objectives referred to in Point A of this Section.

SECTION 3- MEASUREMENT OF ULTRAFINE PARTICLES (UFP)

A. Objectives

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

B. Substances

UFP.

C. Siting

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

Commented [A5]: Depends on « downwind » discussion and terminology chosen

ANNEX VIII

INFORMATION TO BE INCLUDED IN AIR QUALITY PLANS FOR IMPROVEMENT IN AMBIENT AIR QUALITY

A. Information to be provided under Article 19(5)

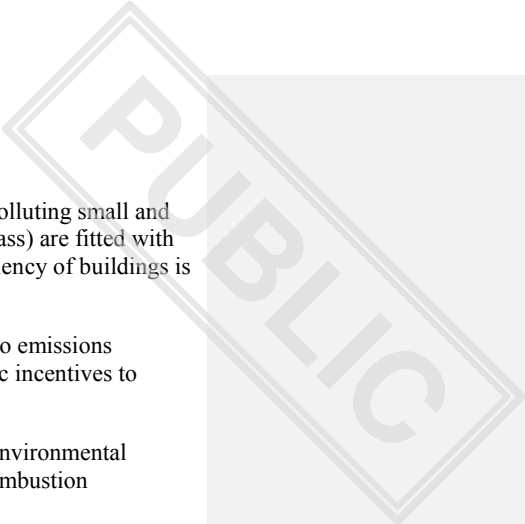
1. Localisation of excess pollution
 - (a) region;
 - (b) city (map);
 - (c) sampling point(s) (map, geographical coordinates).
2. General information
 - (a) type of zone (urban, industrial or rural area) or characteristics of NUTS 1 territorial unit (including urban, industrial or rural areas);
 - (b) estimate of the polluted area (in km²) and of the population exposed to the pollution;
 - (c) concentrations or average exposure indicator of the relevant pollutant observed at least 5 years prior to the exceedance;
3. Responsible authorities

Names and addresses of the competent authorities responsible for the development and implementation of air quality plans.
4. Origin of pollution taking into account reporting under Directive (EU) 2016/2284 and information provided in the national air pollution control programme
 - (a) list of the main emission sources responsible for pollution;
 - (b) total quantity of emissions from these sources (in tonnes/year);
 - (c) assessment of the level of emissions (e.g. city level, regional level, national level, and transboundary contributions);
 - (d) source apportionment according to relevant sectors that contribute to the exceedance in the national air pollution control programme.

5. Expected impact of measures to reach compliance within 3 years after adoption of the air quality plan
- (a) expected quantified concentration reduction (in $\mu\text{g}/\text{m}^3$) at each sampling point in exceedance of limit values, ozone target value or of the average exposure indicator in case of an exceedance of the average exposure reduction obligation, from the measures referred to in point 6;
 - (b) estimated year of compliance per air pollutant covered by the air quality plan taking into account measures referred to in point 6.
6. Annex 1: Details of measures to reduce air pollution under point 5
- (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;
 - (b) quantification of emission reduction (in tonnes/year) of each measure under point (a);
 - (c) timetable for implementation of each measure and responsible actors;
 - (d) estimate of the concentration reduction as a consequence of each air quality measure, in relation to the exceedance concerned;
 - (e) list of the information (including modelling and assessment results of measures) to reach the air quality standard concerned in accordance with Annex I.
7. Annex 2: Further background information
- (a) climatic data;
 - (b) data on topography;
 - (c) information on the type of targets requiring protection in the zone, (if applicable);
 - (d) listing and description of all additional measures, that unfold their full impact on ambient air pollutant concentrations in 3 years or more.
8. Annex 3: Evaluation of measures (in case of an air quality plan update)
- (a) assessment of timetable of measures from the previous air quality plan;
 - (b) estimate of impact on emission reduction and pollutant concentrations of measures from the previous air quality plan.

B. Indicative list of air pollution abatement measures

1. Information concerning the status of implementation of the Directives referred to in Article 14(3), point (b), of Directive (EU) 2016/2284.
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:

- 
- (a) reduction of emissions from stationary sources by ensuring that polluting small and medium-sized stationary combustion sources (including for biomass) are fitted with emission control equipment or replaced, and that the energy efficiency of buildings is improved;
 - (b) reduction of emissions from vehicles through retrofitting with zero emissions powertrains and emission control equipment. The use of economic incentives to accelerate take-up shall be considered;
 - (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;
 - (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);
 - (e) measures to encourage a shift towards less polluting forms of transport;
 - (f) measures to encourage a shift towards zero emissions vehicles and non-road machinery for both private and commercial applications;
 - (g) measure to ensure that low emission fuels are given preference in small-, medium- and large-scale stationary sources and in mobile sources;
 - (h) measures to reduce air pollution from industrial sources under Directive 2010/75/EU, and through the use of economic instruments such as taxes, charges or emission trading, while taking into account specificities of SMEs;
 - (i) measures to protect the health of children or other sensitive population groups.

ANNEX IX
PUBLIC INFORMATION

1. Member States shall provide at least the following information:

- (a) hourly up-to-date data per sampling point of sulphur dioxide, nitrogen dioxide, particulate matter (PM₁₀ and PM_{2.5}), carbon monoxide and ozone. This shall apply to information from all sampling points where up-to-date information is available, and at least to information from the minimum number of sampling points required under Annex III if the measurement method is appropriate for up-to-date data (UTD), notwithstanding that Member States provide to the public as much UTD information as possible and progressively adapt their measurement methods to this effect. When available, up-to-date information resulting from modelling applications shall also be provided;
- (b) measured concentrations of all pollutants presented according to the appropriate periods as laid down in Annex I;
- (c) information on observed exceedance(s) of any limit value, ozone target value, and average exposure reduction obligation, including at least:
 - (i) the location or area of the exceedance,
 - (ii) the start time and duration of the exceedance,
 - (iii) the measured concentration in comparison to the air quality standards, or average exposure indicator in case of an exceedance of the average exposure reduction obligation;
- (d) information regarding impacts on health and vegetation, including at least:
 - (i) the health impacts of air pollution on general population, *and, as far as possible, of each pollutant covered by this Directive,*
 - (ii) the health impacts of air pollution on vulnerable groups, *and, as far as possible, of each pollutant covered by this Directive,*
 - (iii) description of likely symptoms,
 - (iv) recommended precautions to be taken,
 - (v) where to find further information;
- (da) information regarding impacts on vegetation;
- (e) information on preventive actions to reduce pollution and exposure to it: indication of main source sectors; recommendations for actions to reduce emissions;
- (f) information on measuring campaigns or similar activities and their results where performed.

Commented [A6]: EPagrees to drop : « *information threshold, alert threshold* »
Ozone: still to be discussed

2. Member States shall ensure that timely information about actual or predicted exceedances of alert thresholds, and any information threshold, is provided to the public. Details supplied shall include at least the following information:

(a) information on observed exceedance(s):

- location or area of the exceedance,
- type of threshold exceeded (information or alert),
- start time and duration of the exceedance,
- highest one hour concentration and in addition highest eight hour mean concentration in the case of ozone;

(b) forecast for the following afternoon/day(s):

- geographical area of expected exceedances of information and/or alert threshold,
- expected changes in pollution (improvement, stabilisation or deterioration), together with the reasons for those changes;

(c) information on the type of population concerned, possible health effects and recommended behaviour:

- information on population groups at risk,
- description of likely symptoms,
- recommended precautions to be taken by the population concerned,
- where to find further information;

(d) information on *short-term action plans and preventive action actions* to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions from anthropogenic sources;

(da) *recommendations for action to reduce exposure*;

(e) in the case of predicted exceedances, Member States shall take steps to ensure that such details are supplied to the extent practicable.

3. When an exceedance occur or when there is a risk of exceedance of any limit value, ozone target value, average exposure reduction obligation, alert thresholds or information thresholds, Member States shall ensure that the information referred to in this Annex is additionally promoted to the public.

Commented [A7]: EP + Council to check



ANNEX X

Part A

**Repealed Directives with lists of the successive amendments thereto
(referred to in Article 30)**

Directive 2004/107/EC of the European Parliament and of the Council (OJ L 23, 26.1.2005, p. 3)	
Regulation (EC) No 219/2009 of the European Parliament and of the Council (OJ L 87, 31.3.2009, p. 109)	only point 3.8 of the Annex
Commission Directive (EU) 2015/1480 (OJ L 226, 29.8.2015, p. 4)	only Article 1
Directive 2008/50/EC of the European Parliament and of the Council (OJ L 152, 11.6.2008, p. 1)	
Commission Directive (EU) 2015/1480 (OJ L 226, 29.8.2015, p. 4)	only Article 2

Part B

**Time-limits for transposition into national law
(referred to in Article 30)**

Directive	Time-limit for transposition
2004/107/EC	15 February 2007
2008/50/EC	11 June 2010
(EU) 2015/1480	31 December 2016

ANNEX XI
CORRELATION TABLE

This Directive	Directive 2008/50/EC	Directive 2004/107/EC
Article 1	—	—
Article 2	Article 1	Article 1
Article 3	Article 32	Article 8
Article 4	Article 2	Article 2
Article 5	Article 3	—
Article 6	Article 4	Article 4(1)
Article 7	Articles 5 and 9(2)	Article 4(2), (3) and (6)
Article 8	Articles 6 and 9(1)	Article 4(1) to (5) and 4(8) and (10)
Article 9	Articles 7 and 10	Article 4(7) and (11)
Article 10	—	Article 4(9)
Article 11	Articles 8 and 11	Article 4(12) and (13)
Article 12	Articles 12, 17(1) and (3) and Article 18	Article 3(2)
Article 13	Articles 13, 15 and 17(1)	Article 3(1) and (3)
Article 14	Article 14	—
Article 15	Article 19	—
Article 16	Article 20	—
Article 17	Article 21	—
Article 18	Article 22	—
Article 19	Articles 17(2) and 23	Article 3(3)
Article 20	Article 24	—
Article 21	Article 25	—
Article 22	Article 26	Article 7
Article 23	Article 27	Article 5
Article 24	Article 28	Article 4(15)
Article 25	—	—
Article 26	Article 29	Article 6
Article 27	—	—
Article 28	—	—

Article 29	Article 30	Article 9
Article 30	Article 31	—
Article 31	—	—
Article 32	Article 33	Article 10
Article 33	Article 34	Article 11
Article 34	Article 35	Article 12