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General Secretariat

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**Brussels, 17 May 2023**

**WK 6426/2023 ADD 2**

**LIMITE**

**ENV**

**ENER**

**IND**

**TRANS**

**ENT**

**SAN**

**AGRI**

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## **CONTRIBUTION**

From:	General Secretariat of the Council
To:	Working Party on the Environment
N° Cion doc.:	ST 14217/22 + ADD 1
Subject:	Air Quality Directive: follow-up to the WPE on 8 May 2023 - comments by a delegation

Following the call for comments (WK 5892/23), delegations will find attached the contribution received from the IT delegation on Articles 7, 8 and 10 .

**Proposal for a Directive on ambient air quality and cleaner air for Europe (recast)**

**Italian comments on articles 7, 8 and 10**

**Article 7**

The assessment threshold of 0.12 ng/m<sup>3</sup> introduced in **Annex II** of the proposal for benzo(a)pyrene is quite low and will result in a huge increase of the number of monitoring stations to be established on the Member States' territory with a consequent increase of monitoring costs. We suggest changing it with the value of **0.4 ng/m<sup>3</sup>** that is the current lower assessment threshold for this pollutant.

**Article 8**

We support the process initiated by the proposal to promote a greater use of modelling applications for air quality assessment; on the other hand, high uncertainties are still associated to the use of models due also to high uncertainties associated to emissions data at local level. Therefore, we believe that a clear reference should be added in this article to the Guidelines to be made by the Commission in order to assure a proper use of modelling applications, both for compliance purposes and spatial representativeness determination.

Mandatory application of new provisions related to models should enter into force in a second step, once the Guidelines will be available, and in any case not before 2030 in order to give Member States the necessary time for adaptation.

Specific text proposals

Paragraph 2 and 4 - the assessment regime of each zone is defined by the relative classification, determined according to article 7. We believe that the different situation of the zone expressed in paragraph 2 and 4 should be referred to the classification of the zone and not to the "level of pollutants" exceeding or not the assessment threshold. In addition, formulation of paragraph 2 should be more coherent to that of article 9. Therefore, we suggest the following formulation:

2. "In all zones classified as over the assessment threshold ~~where the level of pollutants referred to in paragraph 1 exceeds the assessment threshold~~ **but below the respective limit values** established for those pollutants ..."

4. "In all zones classified as below the assessment threshold established for those pollutants..."

Paragraph 3: we suggest reintroducing the possibility of using also indicative measurements to supplement the knowledge framework in areas where exceedances of limit values are recorded. In particular, in the case of possible exceedances of limit values for some pollutants (especially metals and PAHs), the current difficulty of having useful information to supplement monitoring data through modelling applications is emphasized.

"3. [...] modelling applications **and/or indicative measurements** shall be used in addition to fixed measurements to assess the ambient air quality"

Paragraph 6 and 7 – are to be moved to article 9 since they are not referred to assessment criteria; in paragraph 6, some criteria on the number of sites and their location should be set for other relevant polycyclic aromatic hydrocarbons.

Paragraph 8 - if the provision is intended to introduce monitoring requirements going beyond those already provided for in the NEC directive, we suggest leaving “may” instead of “shall” in the text of the paragraph.

#### **Article 10**

Paragraph 6 - We agree on the inclusion of nitric acid, levoglucosan, and oxidative power of PM among parameters to be monitored at supersites. However, we believe that the choice of monitored parameters should not be constrained to all existing sites but should be determined on a case-by-case basis.