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***Re : Global Assessment of the Fifth Action Programme on the Environment and Sustainable Development***

Thank you for your letter of 13 October 1998 inviting UNICE to contribute to DGXI's "Global Assessment of the Fifth Action Programme on the Environment and Sustainable Development". UNICE appreciates the opportunity to contribute to this review. We are ready to offer your officials the input and support needed to help ensure that this key assessment will be a balanced basis for future Community action.

We believe that UNICE was a key contributor to the thinking process that formed the basis for the Fifth Action Programme subtitled "Towards Sustainability". The keynote of the programme was how to engage stakeholders' action in shared responsibility. The European Commission wish and obligation to establish dialogue groups to reinforce partnership in implementing this strategy needs to engage UNICE's members as key contributors.

An important starting point for this dialogue is Decision 2179/98/EC of the European Parliament and the Council dated 24 September 1998 reviewing the Fifth Programme.

Amongst the key conclusions of that review are the need for :

- integration of environmental requirements into other policies;
- broadening of the range of instruments, taking account of the subsidiarity principle;
- more effective implementation and enforcement of environmental legislation;
- stimulating awareness of sustainable development issues in all sectors of society;
- international cooperation to fulfil EU obligations under conventions and protocols.

UNICE fully supports the need for integration of environmental with economic and social priorities, which is part of the fundamental logic of sustainable development. In addition, we accept the importance of engaging consumers to recognise and support transparent environmental objectives, as part of effective implementation. Further, it is part of UNICE's fundamental approach that Community policies should be developed consistently with EU commitments made within United Nations and OECD fora.

For these reasons, UNICE would welcome an active role in helping to prepare the Communication due in Summer 1999 on options for new priorities beyond year 2000.

As an initial contribution to this dialogue, UNICE offers its thoughts and suggestions on two key areas of environmental policy -acidification & air quality, and also waste policy. UNICE comments on these two areas of policy point to conclusions that are relevant for the whole of this Community programme.

UNICE and I personally remain at your disposal for further discussions on how new priorities should be set for a sixth Community Environmental Action Programme.

Yours sincerely,

D.F. Hudig  
Secretary General

**PREPARATION OF FOLLOW-UP INITIATIVES TO THE FIFTH EU ACTION  
PROGRAMME ON THE ENVIRONMENT AND SUSTAINABLE  
DEVELOPMENT**

**SOME KEY THOUGHTS ON ACIDIFICATION, AIR QUALITY AND  
WASTE POLICY**

The 5<sup>th</sup> European Union programme for policy and action regarding the environment and sustainable development (EAP) covering 1993 - 2000 sought to transform the Community's perception in the areas of preservation of natural resources and environmental protection. It proposed a fresh vision of Community environment policy compatible with sustainable development. The aim of the re-examination of the 5<sup>th</sup> EAP was to specify in greater detail Community action in a number of areas regarded as having priority such as integration of environment in other areas, extension of instruments to ensure sustainable development, and establishment of more effective legislation. Against this background, UNICE would like to make the following recommendations on two policy areas taken as examples :

**Waste policy :**

On the subject of waste, the programme believes that its management represents a key mission for the Community. The revision of the 5<sup>th</sup> EAP makes reference to the concept of "sustainable development". This concept should be integrated more fully in the present waste policy with its three dimensions (environmental, economic and social). To help move this development forward, UNICE has the following specific comments on the current approach:

- The EU definition of waste is broad and insufficiently specific. A number of Member States have developed guidance documents to indicate whether or not a material may be regarded as waste or as non-waste. Different interpretations by Member States reflecting local, cultural and administrative conditions have led to unintended environmental impacts and market distortions.
- The Community's current approach to waste is based on a number of principles, and notably shared responsibility and the polluter pays. Yet, the current EU legislative trend in the field of waste management leans towards extended producer responsibility. This may lead to ineffective solutions in both economic and environmental terms.
- The programme makes reference to Community waste strategy in a hierarchy of options for consideration. Thus, the 5<sup>th</sup> EAP gives priority to prevention, then to the different type of re-use, and finally to elimination of waste. This means that waste avoidance is given the highest priority on the mistaken assumption that it is always the option with the smallest environmental impact. In fact, many examples can be given where waste avoidance measures result in higher consumption of energy or other resources, increased air emissions or a less efficient production system.

- Lastly, implementation of Community waste law is often incomplete, giving rise to distortions of competition and significant environmental problems.

## **Acidification and air quality :**

### **Objectives :**

Through the 5<sup>th</sup> EAP, DGXI imposed a series of challenging air quality obligations on itself and the European Commission, covering a range of pollutants, in order to protect crops and vegetation as well as human health.

The key air quality targets derived from processes external to the EU -WHO air quality guideline values to protect human health, and vegetation critical loads. The 5<sup>th</sup> EAP put too great stress on the latter approach, which is subject to considerable uncertainties, both in terms of modelling long-range transboundary air pollution, and in estimating impacts of acidification. For UNICE, the first priority should be to ensure effective protection of the public from recognised health risks of air pollution. DGXI's approach in the 5<sup>th</sup> EAP to objective setting was too simplistic. Whereas WHO itself makes clear that its 'guidelines' are just that, and need to be evaluated by authorities proposing air quality targets, DGXI bound itself and the European Commission to simply transcribe these guidelines into mandatory air quality targets up to the year 2000. The result has been that DGXI evaluation of costs and benefits of its draft air quality proposals has fallen into the trap of seeking to justify its approach, rather than the critical evaluation that is needed to make 'good proposals' in this area of priority action.

### **Implementation :**

The Community has made significant progress in reducing emissions from a range of stationary and mobile sources, and has brought the overall approach together in the Auto/Oil programmes. However, there is much still to do to put air quality modelling on a sound basis, so the effects of a series of recent directives can be evaluated properly, before further proposals are made. Indeed, we could suggest that proper implementation of existing legislation should be the priority rather than proposing additional legislation. An element that is key for progress is the more extensive and effective air quality monitoring to which Member States are committed, including of local 'hot spots' where these are relevant to the effects.

### **Future action :**

The Community has reached a critical point in its air quality strategy in preparing to propose National Emission Ceilings (NEC) for a series of pollutants, as well as two key proposals on its approach to controlling ozone. Tropospheric ozone is a challenging air quality issue because of the complicated chemistry of ozone episodes generated in the presence of sunlight, and high natural background levels, compared with the guideline recommended by WHO. Both the NEC and ozone proposals will be critical tests of DGXI's overall approach to air quality, to ensure that practical cost-effective steps are proposed that command the support of authorities in Member States, as well as a range of stakeholders.

### **Implications for the future :**

UNICE is encouraged by the recent discussion paper on air quality strategy that DGXI has passed for comment to air quality experts in the Air Quality Steering Group. We will comment on this separately, but the key to a successful approach will be to turn sound intentions into practical cost-effective proposals, that will command the support of authorities and stakeholders that have the obligation to implement them.

