

PROPOSAL FOR A DIRECTIVE RELATING TO OZONE IN AMBIENT AIR

UNICE COMMENTS

Summary

- ?? The US Environmental Protection Agency (US EPA), under its legal obligation to protect human health, has identified an ozone target of $160 \mu\text{g}/\text{m}^3$ (with an appropriate number of annual exceedances) as a federal ambient air quality standard, fully protective of human health in sensitive populations.
- ?? UNICE supports this US EPA view, and believes the European Commission's original proposal was too ambitious.
- ?? UNICE believes that it will be necessary to increase the exceedance criteria associated with a target of $120 \mu\text{g}/\text{m}^3$ in order to make it a feasible proposal.
- ?? UNICE believes it will be important for the European Parliament to stress the need for a thorough and robust review process, and to seek the earliest possible engagement of the accession countries to address this challenging environmental issue.

PROPOSAL FOR A DIRECTIVE RELATING TO OZONE IN AMBIENT AIR

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The European Commission's proposal for a directive relating to ozone in ambient air has been widely identified as one of the most challenging aspects of the EU's air quality framework. So challenging in fact, that the European Commission has recognised that its proposed $120 \mu\text{g}/\text{m}^3$ target value is not achievable in practice, hence its introduction of the mechanism of allowable exceedance rules and identification of the fact that a binding target is unworkable.

During first reading in the European Parliament, UNICE continued to advocate that the proposed target value for ozone should be reconsidered. UNICE has also highlighted the weaknesses of the scientific and computer modelling base upon which the proposal is founded. There has been little work done to establish the accuracy of the predictions made by the modelling compared with the real life measurements which the Member States are collecting. Ozone is formed according to local meteorology based on emissions, which can even originate outside the Community. This means that predicting the number of expected exceedances is challenging. Nevertheless, UNICE is aware of the health hazards related to high levels of ozone in ambient air and supports practical efforts to reduce such hazards, including setting a realistic air quality target.

UNICE has continued to advocate $160 \mu\text{g}/\text{m}^3$ as a target that could be met with fewer exceedance days. This is the target value the United States Environmental Protection Agency aims to achieve. The US EPA, under its legal obligation to protect human health, identified this as a target value for a federal ambient air quality standard, fully protective of human health in sensitive population. It is important to note that it reached its conclusions from the same WHO health data set that the European Commission has used.

It is widely recognised that the $120 \mu\text{g}/\text{m}^3$, 8 hrs average, 25 exceedance days target proposed by the European Council will be difficult or impossible to achieve with the present state of the art in control technology. It is close to the natural background level, for which annual average concentrations are currently around $100 \mu\text{g}/\text{m}^3$ ¹, as the French Academy of Sciences² has identified. This leaves a narrow margin to "accommodate" meteorological events and regional anthropogenic/economic activities. It is also important to recognise the different scale of the problem in Southern Europe as compared with, say, Scandinavia: since local climate has a strong influence on the ozone level, the European Commission proposal should certainly cause major concerns for Member States of Middle and South Europe, because of their specific climate conditions (high sunshine, high temperature and light winds during summer).

Local climate has so strong an influence that UNICE considers that it is still highly doubtful that the European Council political agreement for 25 exceedance days is sufficient to be realistic, although it represents a step towards feasibility. It is also important to understand that the current modelling suggests that not only Southern European Member States but also Middle Europe, including Germany for example, will also struggle to remain below 25 exceedance days.

¹ With maximum monthly concentrations during spring / summer - $120 \mu\text{g}/\text{m}^3$ - and minimal concentrations during autumn - $80 \mu\text{g}/\text{m}^3$

² Ozone and oxidising properties of the troposphere – French Academy of Science – report n30 . Lavoisier Edition – October 1993 , page 30, 122 and 170

Instead of setting targets that are too ambitious at this stage, a stepwise approach is available. The review process, or indeed the European Commission's forthcoming Clean Air For Europe process, can be used to review targets in the light of a more robust understanding of the science and the availability of properly tested computer models.

Nevertheless, during second reading, the debate is about a figure of $120 \mu\text{g}/\text{m}^3$. UNICE urges the European Parliament to approach the second reading of this proposal with achievability foremost in mind. We hope that the European Parliament will therefore be able to adapt the proposal in a manner which reflects the $160 \mu\text{g}/\text{m}^3$ target value, which UNICE supports as a sound and realistic step towards protecting human health.

European industry believes that, to do this, it will be necessary to increase the exceedance criteria in order to reach a feasible proposal. UNICE also believes it will be important for the European Parliament to stress the need for a thorough and robust review process, and to seek the earliest possible engagement of the accession countries in a process to address this challenging environmental issue.