



## Flexibility mechanism on air pollutants will undermine drive towards better regulation

Environmental and health organisations across Europe have expressed grave concerns over proposals for a trade-off scheme for pollutants<sup>1</sup> in the Clean Air Package. They say it risks rendering the National Emissions Ceiling (NEC) Directive completely unworkable.

Consultants have developed this flexibility mechanism to give EU member states the possibility to reduce their efforts in controlling emissions of some pollutants, as long as they can go beyond the reductions required for others. This would allow dozens of loopholes to appear in the final text, undermining the effectiveness of the new law and creating confusion and legal uncertainty for all involved.

**Arne Fellermann, Policy Officer for Air Quality at the European Environmental Bureau**, said: *“We could end up having an ineffective law to fight air pollution. On the one hand, member states will have to respect limits for air pollutants and, on the other, they will be able to use a complicated flexibility scheme that allows them to exceed these limits. It’s an open invitation to abuse which would make enforcement almost impossible.”*

The scheme would be based on a system of exchange rates between pollutants regulated in the NEC Directive<sup>2</sup> and tied to the health impacts of PM<sub>2.5</sub>. The proposal would limit this trade-off at 10% for one pollutant. For example, if a member state manages to reduce emissions of particulate matter by one tonne more than is required by the targets, it could avoid reducing its emissions of NO<sub>x</sub> by as much as 15 tonnes. This would constitute a weakening of the overall air pollution targets, as it would ignore the impact on health and the environment of pollutants like NO<sub>x</sub>.

Overall ambition levels in the NEC proposal are already far too low to be anywhere near achieving the World Health Organisation’s recommendations for clean air by 2030. Today, around 400,000 people die prematurely every year across Europe because of the impact of air pollution.

**Arne Fellermann** added: *“The economic case for this proposal is rock solid: air pollution costs our economy between €330 billion and €940 billion a year and the potential economic benefits are far higher than the costs. It’s high time for Member States to give this problem the political priority it deserves, and they should avoid using mechanisms that would weaken air quality standards across Europe.”*

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Contacts

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<sup>1</sup> IIASA report : A Flexibility Mechanism for Complying with National Emission Ceilings for Air Pollutants <http://ec.europa.eu/environment/archives/air/pdf/TSAP-15-v1.pdf>

<sup>2</sup> The pollutants are SO<sub>2</sub> (sulphur dioxide), NO<sub>x</sub> (nitrogen oxide), NMVOCs (non-methane volatile organic compounds), NH<sub>3</sub> (ammonia) and PM<sub>2.5</sub> (fine particulate matter)



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