

The Ambient Air Quality Expert Group set up under Directive 2008/50/EC

Final report from the Meeting on 23 October 2013, 10.00 – 18.00, Brussels

Part I: Air Quality Directives (2004/107/EC and 2008/50/EC)

(1) Welcome/Introduction

Representatives from the following Member States (MS) attended: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Spain and the United Kingdom. Norway was also present. The European Environment Agency (EEA) participated on invitation by the Commission (COM). A list of participating Member States and their competent authorities is annexed.

The chair, the team leader for Air Quality in DG Environment, C3 Air and Industrial Emissions Unit, opened the meeting and welcomed the participants. He outlined the objectives of the meeting i.e. the morning session was dedicated entirely to the Air Quality Directives while the afternoon to the National Emission Ceiling Directive.

The COM proposed the introduction of one item under AOB, the eco-design proposal for solid-fuel heaters. The draft agenda of the morning session was adopted.

(2) Approval of the minutes of the last meeting

The draft minutes of the last meeting in February 2013 were sent by email at the beginning of September 2013. The Commission received no comments. The minutes of the Expert Group were adopted without further changes.

(3) Implementation of the Directives – IPR pilot group – state of play

The representative of the EEA gave a presentation on "Air Quality e-Reporting – Progress report from the EEA and the IPR pilot group facilitating the transition to the new mechanism for air quality reporting and data exchange". He reiterated the EEA continuous support to IPR pilot countries aiming at direct XML reporting. At the same time the EEA was providing additional support to countries which were not able to do the initial XML reporting. The full presentation including recommendations can be found on CIRCABC.

During the ensuing discussion the following questions were raised :

- one MS asked if there was any intention to do more work on reporting the plans & programmes;
- another MS questioned whether the electronic reporting system could cope with the reporting of AQ data generated by models;
- since the new software Air Quality User Interface (AQUI) does not allow the reporting of up to date data, one MS was wondering if there was any transition in place;
- one MS inquired if it was possible to nominate only one representative from the ministry for all the zones/entire Member State instead of several (i.e. one per zone) as it is written in the schemata;
- for one MS was not clear how the zones under the time extension notification (TEN) which have changed boundaries should be reported.

In response to the questions/comments, the COM and EEA explained the following:

- the next IPR pilot group meeting scheduled for 26-27 November 2013 would discuss reporting of plans and programmes. So far little experience has been gathered under the wet test for plans and programmes;
- the system for reporting data generated by AQ models is finalised and stable with the corresponding testing already done;
- as regards the AQUA, no provision had been made to report up-to date data because the rationale for AQUA was to help those MS which for whatever reason could not report under the new XML schemata; whereas current reporting of near real time data is already XML based, albeit having a different structure of the XML.
- it was necessary to have a direct link between a zone and the person responsible for reporting the data due to IT reasons; MS could of course nominate only one responsible for all the zones;
- the issue of changing zones under TEN was considered to be a matter rather for the IPR Pilot Group and would be discussed at the next IPR Pilot meeting.

The chair concluded by stressing that the AQUA has a limited duration i.e. until the end of December 2015 therefore the MS should speed up their efforts to put in place the new XML format.

Update from the last meeting of the IPR pilot group (26-27 November) with reference to the first and last questions:

- In the first half of 2014 JRC will develop an interface for reporting plans and programmes (data flows H-K). The interface will be an online software that can be re-used by the Member States. A presentation from the latest IPR pilot group meeting is available at the ambient air quality portal:
http://www.eionet.europa.eu/aqportal/pmeet/AQDpil9/Day2_Session3_1115_JRC_AQPlansPilot.pdf
- In connection to the first reporting deadline (31 December 2013) information on TEN would be reported under data flow B. XML guidance for doing this is provided by the European Topic Centre on Air Pollution and Climate Change Mitigation. A presentation from the latest IPR pilot group meeting is available at the ambient air quality portal:
http://www.eionet.europa.eu/aqportal/pmeet/AQDpil9/Day1_Session4_1130b_Core_AQ_requirements.pdf

(4) Potential modification of Directive 2008/50/EC and 2004/107/EC

COM presented the short paper sent to the MS regarding the potential modifications of the AQ legislation. The paper and implicitly the presentation were based on the review of the Thematic Strategy of Air Pollution together with the Air Quality legislation and all materials gathered under this process. They are: 1) a specific contract to assess the review articles of the Directives; 2) AQUILA, FAIRMODE and issues raised by stakeholder in the public consultation and the specific contract to evaluate the cost of them; 3) a document prepared by the JRC in collaboration with AQUILA on the assessment of the siting criteria, classification and representativeness of air quality monitoring stations; 4) two studies from WHO i.e. REVIHAAP and HRAPIE. The presentation can be found on CIRCABC.

The discussion after the presentation could be summarised as follows:

- the opinion of the MS that took the floor was divided into two groups: 1) those which broadly supported the proposals put forward by the Commission for treating the issues (under the forthcoming Air Quality package, guidance, comitology or co-decision) and 2) those which questioned the need for any further action at the current time beyond measures designed to facilitate compliance as early as possible. Nevertheless some MS of the second group supported the work of FAIRMODE e.g. the Data Quality Objectives for modelling.
- the MS stressed the fact that not enough time to digest was at their disposal, and requested the possibility to send comments in writing.

The chair agreed that written comments could be submitted and would be taken into account by the COM when deciding the future programme of actions.

(5) Future co-operation between AAQD and NECD communities

The Chair of the Expert Group for this session was handed over to the head of the unit C3 of DG Environment.

COM (DG JRC) gave a presentation of the FAIRMODE re-organisation and future program. In replacement of the previous co-chairing arrangement (JRC/EEA), DG JRC would henceforward take overall responsibility for leading the work of the FAIRMODE, with assistance from the EEA, DG ENV and the working group leaders. The presentation is available on CIRCABC.

The ensuing discussion can be summarised as followed:

- one MS, in which modelling is performed by a number of different bodies including universities and consultants, asked for the experience of other Member States as regards the FAIRMODE nomination of a single MS representative, as this nomination might give a privilege to the selected body. The other MS shared their experience: either there was only one national institute in charge of modelling or there was only one consultant of the MS, thus in either case the nomination was clear;
- another MS cautioned against the risk of drifting towards an “academic” direction for FAIRMODE by having universities as working group leaders.

COM complemented that DG-JRC would co-lead the university led working groups to ensure their policy-relevance. This would also be guaranteed by the regular updates provided to the Ambient Air Quality (AAQ) Expert Group. It was also stressed that it was crucial for FAIRMODE to have the right people in the forum at the national but also regional scales. This last topic would be discussed during the next plenary FAIRMODE meeting.

The chair then set out the interlinkages between FAIRMODE and the other groups/entities involved in AQ assessment and management, e.g. EEA, AQUILA, AAQ Expert Group etc. and also the relation to and opportunities for funding from the new Life programme and the Structural Funds.

(6) AOB

A short presentation was given by COM regarding the eco-design proposal for solid fuel space heaters (Lot 20) and solid fuel boilers (Lot 15) and their potential implications for air quality. One MS asked whether after the future eco-design regulation would come into force,

more stringent measures could be applied by an individual Member State. The chair answered that eco-design is based on the internal market legal basis and so it would not be possible to set more stringent measures than the harmonised EU standards.

(7) Conclusion and next steps

The Chair referred to the next steps concluded under agenda item 4 and 5 and thanked all participants for their active engagement in the session.

Part II: National Emission Ceilings Directive (2001/81/EC)

(8) Introduction

This part of the meeting related to the reporting of emissions and projections under the NECD, informing about progress, reviews, adjustment procedures and plans for revising the reporting guidelines. Representatives from the following Member States (MS) attended the session related to the reporting under NECD: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Lithuania, Latvia, Luxembourg, Malta, The Netherlands, Poland, Portugal, Romania, Slovakia, Spain and the United Kingdom. Also Norway attended this session.

One representative from the European Environment Agency (EEA) and several experts from working groups under the UNECE Convention on Long Range Transboundary Air Pollution (CLRTAP) had also been invited by the Commission.

The session was chaired by the Commission.

(9) Adoption of the agenda for the session

The Commission opened this part of the meeting and welcomed the participants. He presented the agenda and outlined the objectives. The agenda was adopted without any changes or additions.

(10) Approval of the draft minutes from the meeting of 25 October 2012

The draft minutes of last year's meeting of the expert group on 25 October were approved without any further changes. The final minutes are also made available on the CIRCA for the group.

(11) Reporting of emissions inventories and projections

(a) Follow up on last year reporting under the NECD, 2012 reporting round

A representative of the EEA summarized the key findings on the reporting of the final data for 2010 and the preliminary data for 2011. He showed that 4 MS still report inventories after the reporting deadline and that the timeliness of reporting has not further improved for the 5 past years. He drew to the attention that all MS provided the final data for 2010 and the preliminary data for 2011 in the 2012 reporting round.

The representative of the EEA also highlighted that 10 MS voluntarily reported an Informative Inventory Report (IIR) together with their emission inventories and that 23 MS reported an IIR under the LRTAP Convention. The Commission kindly requested MS to notify the availability of the IIR also for the Commission when reported under the

LRTAP Convention as the information of the IIR is crucial for the assessment of the MSs reporting under NECD.

On respecting the 2010 NECD ceilings, the representative of the EEA informed the group that preliminary data for 2011 show that Annex I emission ceilings at EU scale are met, but that 11 ceilings (7 MS for NO_x, 1 MS for VOC and 3 MS for NH₃) are still being exceeded. The distance to the ceiling is largest for NO_x, where 5 MS are still exceeding their NO_x ceilings with 20 % or more.

The representative of the EEA also provided a follow up on the conclusions of the expert group's meeting of 2012 (see conclusions in meeting's report of expert group on 25 October 2012). He highlighted the importance of complete reporting and indicated that the use of 'NE' in reporting leads to underestimation of national totals. A first order assessment by gap filling shows that complete reporting would have increased 2010 and 2011 emissions for a few more MS above their respective 2010 ceilings. The Commission stressed again its deep concern with incomplete reporting that might lead to wrong conclusions on compliance with the 2010 ceilings. The representative of the EEA continued that a number of the recommendations from the 2012 in depth review of the EU's inventory have already been implemented, improving the overall quality of the EU's inventory report submission under the LRTAP Convention. He ended his presentation by drawing attention to a draft EEA assessment of past reported projections under the NECD and changes in reported values over times.

(b) Follow up of the CLRTAP in-depth review of inventories reported under CLRTAP and NECD

A representative of the Centre on Emission Inventories and Projections (CEIP, EMEP centre under CLRTAP) outlined the main objectives of the annual EMEP/EEA technical review which in essence tries to improve the quality of reported inventories and increase confidence of policymakers and public in data used for air emissions. She explained in some detail the 3 stages of such reviews. She drew the attention to the fact that, although the quality of reported emissions improved compared to previous year, significant differences remain (up to more than 10%) between emission data reported under NECD and LRTAP. Also, significant variations (up to 100 % for PM_{2.5} and 150 % for SO₂) are found in reported updated emissions for the year 2005 for data reported between 2007 and 2013.

With respect to the stage 3 in-depth reviews, the representative of CEIP highlighted frequently occurring findings. These include incomplete inventories, inconsistent time series, inappropriate use of notation keys, variable quality in sector emissions, missing or limited quality control system and insufficient transparency/consistency of IIR. A main conclusion of the stage 3 reviews is that the overall quality of inventories is insufficient, but that progress is being made since reviewed countries in general implement recommendations from the reviews. The representative of CEIP ended her presentation by making a plea for nominations of additional experts for the stage 3 reviews, in particular from EU MS since 14 MS have so far not nominated any expert.

The Commission added that the EU has not set up an independent review process from the EMEP review process so far, but that it has some discretionary power to query MSs on inconsistencies and other issues in MSs reporting. The Commission repeated its request to make an effort to provide an IIR when reporting under NECD and nominate experts to the CLRTAP review. No questions were raised by MS.

(c) Information from the CLRTAP Task Force on Emission Inventories and Projections (TFEIP) on the proposed revision of the 2009 CLRTAP Reporting Guidelines

The TFEIP co-chair (EEA) shared information on the ongoing revision of the reporting guidelines (RG) as submitted to the Executive Body (EB) of the CLRTAP for subsequent discussion and adoption. He explained the main reasons for updating the RG, the general principles and process followed and the key changes proposed. He emphasised the need to improve reporting, to align with climate change/greenhouse gas reporting practices, to ensure coherence with recent adopted decisions by the EB and recently adopted amendments to the latest 3 LRTAP protocols. The proposal of revised RG further aims to strengthen the current reporting practices by making the reporting requirements more legally binding. In that context 'should' is proposed to be replaced by 'shall' in many instances. He also noted that a separate section on the recently adopted emission inventory adjustment procedure under the Gothenburg Protocol is proposed in the revised RG.

In response to this presentation the Commission announced that it is preparing an EU position on the proposed revised RG on the basis of certain concerns and issues raised at the last WPIEI. In particular it will revisit the legal standing of the revised RG and seek for a less stringent approach than proposed by the TFEIP (replacing certain 'shalls' back by 'shoulds'). The Commission also raised the issue of the need to change the definition for sulphur dioxide (the amended GP only requires reporting on SO₂, while the original GP requires reporting for all sulphur compounds as SO₂) and the need for reporting information on stack heights (in relation to reporting of LPS data). A few MS expressed concerns in relation to change the reporting practice on SO₂.

(d) Information from the CLRTAP Task Force on Emission Inventories and Projections on the inventory adjustments procedure under the CLRTAP Gothenburg Protocol and the TFEIP workplan 2014-2015

The chair of the TFEIP, informed the group about the inventory adjustment procedure that was adopted by the EB in 2012 as part of the amended Gothenburg protocol, allowing Parties some flexibility for compliance checking purposes with their emission reduction commitments. He explained the status of the adjustment process and showed a flow diagram (process tree) on the application process for an adjustment to inventories. Expected cost to review an application is estimated at 15,000 USD.

The TFEIP chair also presented the draft work plan for the period 2014-2015, covering the usual core tasks and several additional tasks (partially unfunded). Funded new tasks include revisions of the nomenclature for reporting (NFR) and the COPERT database (for road transport emissions). Currently unfunded tasks concern improvements to emission methodologies and items for modellers (budgeted at more than 130,000 USD).

With respect to the information shared on the adjustment procedure, the Commission noted that the financing of the reviews of the adjustment applications was discussed with the MS at the WPIEI and will be requiring common positions by the EB 32nd session. Three Member States indicated that they may apply for the adjustment procedure under the Gothenburg protocol in 2014.

(5) Information on current status of reporting requirements under the revised NECD

The Commission presented the state of play on the revision for the NECD, in particular in relation to the proposed reporting requirements. It outlined the context of the updated strategy on air pollution (LRTAP, NECD, AQ legislation, emission source legislation, climate change and energy policy) and briefly sketched the key issues that were considered for the revision of NECD and some of the key elements that are currently incorporated in the proposed draft. Key messages were:

- a new directive replacing and repealing the current 2001 directive;
- maintain GP emission reduction commitments for 2020 and tighter ones from 2025/2030;
- introduce flexibilities for compliance with the tighter emission reduction commitments;
- introduce a broader approach and link closer with (local) ambient air quality issues;
- introduce reduction commitments also for CH₄ (in addition to SO₂, NO_x, NMVOC, NH₃, PM_{2.5});
- reporting requirements on emissions, projections, impacts, applied flexibilities and a National Air Pollution Control Programme (NAPCP): with respect to reporting requirements on emissions and projections, maintain overall coherence with the EMEP reporting requirements and align with reporting of greenhouse gases;
- inclusion of specific measures on agriculture.

A few MS questioned the usefulness of introducing ceilings for CH₄. In response the Commission noted that currently no objectives are yet set for CH₄ beyond 2020 as part of the package to mitigate climate change.

Also some concerns were raised regarding the new proposed requirements on the monitoring of ecosystems impacts, where most MS now focus on one type of habitat. The Commission responded that the introduction of these new requirements flows from the monitoring requirements adopted under the amended Gothenburg protocol and that sufficient time will be allowed to implement these new requirements. Questions were also raised on black carbon (BC) with respect to projections, the need for a common understanding of BC and a solid definition. The Commission pointed to the definition used for BC under the amended Gothenburg Protocol and the new methodologies being developed for establishing emission inventories of BC. The EEA added that the new version of the EMEP/EEA Guidebook includes emission factors for BC (as % of PM_{2.5}).

(12) Conclusions and next steps

The chair summarized the session and identified following key points for this session:

NEC, that

- MSs report timely and complete emission inventories,
- MSs also provide IIR in December under NECD reporting or notify Commission when IIR is made available under CLRTAP, and
- MSs nominate further experts for the roster of experts to carry out the Stage 3 in-depth-reviews.

LRTAP, that

- MSs provide support to CLRTAP bodies so it may implement its work plan, e.g. to review methodologies on implied emission factors used on emission inventories,
- MSs nominate more experts to the CLRTAP Stage 3 in-depth review, and
- EU and its MSs work on the revised reporting guidelines before their adoption at the next EB.

The meeting was closed by the chair.

Annex: List of Participants

| Member State | National Authority/Organisations |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AT | Federal Ministry of Agriculture, Forestry, Environment and Water Management |
| BE | Interregional Environment Agency; Wallon Agency for Air & Climate; Flemish Government – Environment, Nature and Energy Department; IBGE-BIM – Brussels Region Government |
| BG | Ministry of Environment and Water |
| CZ | Ministry of the Environment |
| DE | Federal Environment Agency |
| DK | Environmental Protection Agency |
| EE | Ministry of Environment |
| ES | Ministry of Environment and Marine and Rural Affairs |
| FI | Ministry of Environment |
| FR | Ministère de l'Ecologie, du Développement durable et de l'Energie; Institut National de l'Environnement industriel et des risques - INERIS |
| HR | Ministry of Environment and Nature Protection; Environment Agency |
| HU | Ministry of Rural Development |
| IE | Environment Protection Agency; Department of Environment, Community and Local Government |
| IT | Ministry for the Environment, Land and Sea |
| LT | Ministry of Environment |
| LV | Ministry of Environmental Protection and Regional Development; Latvian Environment, Geology and Meteorology Centre |
| LU | Administration de l'Environnement |
| MT | Environmental Protection Directorate (MEPA) |
| NL | Ministry of Infrastructure and Environment |
| PL | Ministry of Environment |
| PT | Environmental Protection Agency |
| RO | Romanian Ministry of Environment and Climate Change |
| SK | Slovenian Hydro-Meteorological Institute; Ministry of the Environment |
| UK | Department for Environment, Food and Rural Affairs (DEFRA) |
| NO | Climate and Pollution Agency |