



EUROPEAN COMMISSION

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Mr Valeriu Ștefan ZGONEA
President of the Camera
Deputaților
Palace of the Parliament
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Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion on the proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants {COM(2013) 919 final} and on the proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC {COM(2013) 920 final}.

The Commission recognises the Camera Deputaților's concern on the control of emissions from small combustion sources and other sources, which are highly relevant for ensuring compliance with current air quality legislation as well as for meeting the long term objectives as laid down in the 7th Environment Action Programme¹.

With regard to the Commission proposal for a Directive on medium combustion plants the "MCP proposal", the Camera Deputaților raises its concern that the monitoring of plants between 1 and 5 MW might become an excessive bureaucratic burden. The Commission wishes to point out that the MCP proposal covers the full 1 to 50 MW range as each of the three classes of plants analysed contributes significantly to air emissions; the 5-20 MW segment has the highest emissions (38-43 % depending on the pollutant), closely followed by the 1-5 MW (32-38 %) and the 20-50 MW segment (21-30 %). This proposal has been designed to be both cost-effective and affordable for SMEs, as shown in the section of the Impact Assessment analysing the burden for such enterprises. The preferred option combines high cost-effectiveness with low administrative cost (2 % of total costs of the proposal) and monitoring cost (6 % of total costs of the proposal). Furthermore, to avoid excessive burden on businesses operating smaller plants, monitoring for the 1-5 MW class would be reduced from yearly to once every three years.

With regard to the proposed Directive on reduction of national emissions the "NEC proposal") the Opinion raises several issues.

¹ Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet', OJ L 354, 28/12/2013, p. 171–200

In view of the potential impact of the NEC proposal on very small agricultural holdings, the Commission wishes to note that the NEC proposal includes national emission reduction commitments for ammonia emissions from animal husbandry and fertiliser use in the agriculture sector. As set out in the Impact Assessment to the Clean Air Policy Package, the proposed ammonia reduction commitments are based on cost-effective measures identified for medium and large size farms, with small farms (e.g. with less than 15 cattle) excluded from the scope of action. While each Member State has the obligation to meet its reduction commitments, it would have flexibility in choosing the mix of measures to accomplish this, including the exclusion of small farms. Measures which are not legally binding at EU or national level can be supported through the Regional Development Fund.

Concerning a tighter coupling between the EU's objectives in respect of air pollution and other policy areas, such as biodiversity and sustainable development, the Commission agrees with the Camera Deputaților that close links are needed between reduction of air pollution and policies on conservation of biodiversity and sustainable development. While the acidification problem in Europe is on course to be solved, eutrophication is an outstanding issue, and the package would reduce impacts by 35 % in 2030 (compared with 2005).

With a view to the Camera Deputaților's concerns about the extent of ecosystem monitoring required under the NEC proposal, the Commission wishes to clarify that this proposal sets out the obligation that each Member State establish a representative monitoring of air pollution effects on ecosystems within its territory. Each Member State would have to define the representative network and would have flexibility on the number of monitoring sites. The Impact Assessment provides an upper estimate of the size of the networks and their costs. It should be noted that Member States currently perform significant ecosystem monitoring under EU legislation, such as the EU Water Framework Directive, as well as under international law, such as the International Cooperative Programmes of the Convention on Long Range Transboundary Air Pollution. Such ongoing ecosystem monitoring would naturally be taken into account when setting up and operating ecosystem monitoring of air pollution effects under the proposed Directive.

The points made above are based on the initial proposal presented by the Commission which is currently in the legislative process involving both the European Parliament and the Council at which your government is represented.

The Commission hopes that the above clarifications address the comments and concerns raised by the Camera Deputaților and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*