

### **Position Paper HNP/IPO/VNG revision Ambient Air Quality Directive**

The Dutch municipalities and provinces have taken note of the intension of the Commission to revise the current Ambient Air Quality Directives (AAQD) and wish to share some of our considerations and experiences to aid you in this important legislative undertaking. As such, we have drafted this position paper on the future of European air quality policy. This paper will first address the question of alignment between the recently revised WHO guidelines and the current EU standards before expanding upon the additional policy measures we deem crucial for the achievement of the ambitions expressed in the Zero Pollution Action Plan.

As local and regional governments we recognise the importance of delivering on a healthy environment for our citizens. Ensuring that the air we breathe does no harm is a cornerstone of that goal but also fiendishly difficult. It will require tremendous political will as well as cooperation between all levels of government. In the Netherlands we have already taken steps to facilitate such a 'whole of government' approach through the Clean Air Agreement, an opt-in model of cooperation and financial burden sharing through which the local, regional and national governments work together on a variety of challenges – all related to the amelioration of air quality. Local and regional governments depend heavily on European policymaking in this matter. Without legislative and regulatory interventions in the European capitals and Brussels, local and regional governments alone simply do not have enough instruments available to lower air pollution to acceptable levels.

### **Air Quality Guidelines**

The recently revised WHO global air quality guidelines underscore the task at hand. We were both enthused by this additional scientific clarity and alarmed by the degree to which these new recommendations differ from the existing AAQD. We note that whilst the zero pollution action plan promises EU air quality standards to *“be aligned more closely with the upcoming WHO recommendations”*, this leaves much to be decided in terms of definition, time-line and implementation. We believe it is imperative that the EU legislators bring air quality policy in line with science, whilst taking into consideration the legislative and non-legislative needs of (local and regional) governments to achieve these ambitions. In line with the zero pollution vision, we believe the end goal must be healthy air in which air pollution is no longer considered harmful to health. As parties of the Dutch Clean Air Agreement we have already committed ourselves to ambitious air quality policy, beyond the current legislation. Our aim is to reduce the emissions in all relevant sectors, in order to achieve at least 50% health gain by 2030 (national average, and related to domestic sources) compared to 2016. In regards to binding EU air quality standards we want to be cognisant of the particular challenges regions face and the necessity of ensuring a level-playing field for European businesses whilst also recognising the importance of commonly agreed upon targets to spur governmental action. We also note that at this moment a thorough and detailed analysis of the air quality in 2030 and beyond is not yet available. Due to specific Dutch regulation, non-compliance to air quality standards has serious consequences for spatial planning. This is undesirable and problematic because of the immense housing crisis in the Netherlands. Too strict air quality standards combined with a too narrow time-line means that from the perspective of our local and regional authorities there will be no European level playing field. Any system of standard setting should be devised in such a way that it stimulates governmental action, but also supports authorities

in the implementation of all the necessary extra measures. Offering local and regional authorities enough time to implement extra measures is of the utmost importance. Therefore, we recommend that the option for derogation for specific regions will be part of the revision of the current Ambient Air Quality Directives.

### **Integral policymaking and regulatory interventions**

In light of the challenge we face, we appreciate the intention expressed by the European Commission to take a more integral approach to (European) policymaking, taking into account the secondary effects of any new policy on air quality. We would furthermore call for more EU source-based measures to further reduce the emissions of air pollutants. By more effectively and ambitiously utilizing its vast regulatory toolkit the Commission could greatly aid the efforts of national, regional and local governments to achieve future air quality standards. More stringent regulation on the emissions of industry (Industrial Emissions Directive), motorized vehicles (introduce Euro 7 (post Euro 6) standards for all vehicles), technical equipment, ships and wood-burning stoves is needed and appropriate to facilitate the level of air quality improvement we need. Agricultural policies should also include measures to stimulate the reduction of emissions. Additionally, we believe local and regional authorities could be facilitated in their efforts if the Commission would narrow the range of measures considered Best Available Techniques (BAT).

We welcome the efforts of the Commission to reduce ambiguity and increase comparability through the refinement and clarification of air quality monitoring criteria as is expressed in the impact assessment. The development of measurement techniques that are reliable to monitor low PM-concentrations and their speciation at acceptable costs is of great importance. We do however believe that the monitoring criteria should be expanded to also include ultrafine particulate matter, heavy metals and polycyclic aromatic hydrocarbons (going beyond benzo[a]pyrene). We furthermore find that the current system is geared towards the monitoring of yearly or daily averages of pollutants while incidental exceedances of limit values in particular areas increasingly appear to pose a significant risk to health. Any revisions to the monitoring framework should thus include increased attention for such incidental exceedances.

Lastly, more EU involvement in the maritime and aviation sphere is required. Through increased coordination of and participation by the EU in global standards setting at the International Civil Aviation Organization and the International Maritime Organization progress could be achieved while the level-playing field of European businesses is protected. Particular attention should be paid towards decreasing NO<sub>x</sub> emissions of ships, for both seagoing and inland vessels. Emissions of the existing fleet remain largely unregulated and, if left unabated, are set to overtake land-based emissions of NO<sub>x</sub>. Retrofitting existing fleets has proven to be effective but remains cost-prohibitive in many cases. A co-ordinated approach by European harbours to discourage old ships and stimulate the use of cleaner ships could prove to be effective (as was shown by some Scandinavian harbours).

### **Innovation and research**

Whilst there are many appropriate policy interventions available, it is clear that the achievement of the air quality guidelines as advised by the WHO will require further innovation. Too many vital sectors and systems of our society rely on processes that cannot yet be conducted without the emission of harmful particles. By incentivising fundamental and applied research into cleaner processes and innovative policy interventions, we make implementation of air quality measures accessible and can work towards a zero pollution future. Existing European funding programmes such as, but not limited to, Horizon Europe, LIFE and Interreg could be utilized to spur such research and experiments and stimulate the innovation that is required.

In conclusion we applaud the intension of the Commission to improve air quality by bringing the Ambient Air Quality Directives in line with science, improving the legislative framework and

increasing the support for local and regional governments. In devising the necessary legislative and non-legislative actions we call upon the Commission to at all times take a 'health first' approach; what is air quality policy about if not improving the living conditions of all European citizens? We wish you the best of luck and make ourselves and our experiences available to the Commission in addressing this much needed reinvigoration of air policy.