

Consultation on options for revision of the EU Thematic Strategy on Air Pollution and related policies

Section 1/6: Introductory Questions	
<p>A. Are you responding to this consultation as an individual or on behalf of an organisation? -single choice reply-(compulsory)</p>	<p>On behalf of an organisation</p>
<p>A1. What type of organisation do you represent? -single choice reply-(compulsory)</p>	<p>business: industrial interest group, business association, sectoral association</p>
<p>A1a. Please specify the sector of your activity (e.g. health, environment, transport, energy, multi-sector): -open reply-(optional)</p>	<p>Maritime transport</p>
<p>A2. Does your organisation work mainly on an EU-wide basis or in a single country? -single choice reply-(compulsory)</p>	<p>EU-wide</p>
<p>A3. Please indicate the country where your organisation is located: -single choice reply-(compulsory)</p>	<p>Belgium</p>
<p>A4. Please indicate the name of your organisation: -open reply-(compulsory)</p>	<p>EUROPEAN COMMUNITY SHIPOWNERS' ASSOCIATIONS (ECSA) Registration nr: 59004966537-01</p>
<p>A5. Please indicate your name and title: -open reply-(compulsory)</p>	<p>Benoît Loicq – Safety and Environment Executive Adviser at ECSA</p>
<p>B. Do you now work on air pollution issues, or have you done so in the past? -single choice reply-(compulsory)</p>	<p>Yes, air pollution has been the main focus of my professional work</p>
<p>D. Please feel free to provide any further details regarding your answers to the introductory questions: -open reply-(optional)</p>	
<p>ECSA, formed in 1965, comprises the national shipowners' associations of the EU and Norway. ECSA works through a permanent secretariat in Brussels and a Board of Directors, as well as a number of specialised committees. Its aim is to promote the interests of European shipping so that the industry can best serve European and international trade and commerce in a competitive free enterprise environment to the benefit of shippers and consumers. The EEA maintains its very prominent position with a controlled fleet of 41% of the global commercial fleet. The European shipping industry is directly concerned with any review of EU Air Policy and, as members of the Stakeholder Expert Group, we welcome this opportunity to provide early input to inform and contribute to future deliberations.</p>	
<p>Unless you specify otherwise, your contribution will be published on the Commission's website. Please indicate here if you wish your contribution to be anonymous.(For full information please refer to the Specific Privacy Statement point 3) -single choice reply-(compulsory)</p>	<p>You can publish this contribution as it is.</p>
Section 2/6: Ensuring compliance with EU air quality requirements and coherence with international commitments in the short term	

1. How should the EU modify or supplement its approach to ensure compliance with current air quality legislation? (Please choose one or more responses) -multiple choices reply-(compulsory)	No adjustment of the approach described above is needed.
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2. Please feel free to provide written comments on the course of action to ensure compliance with the current air quality legislation: -open reply-(**optional**)

The current air quality directives and the National Emissions Ceiling Directive (NECD, 2001/81/EC, as amended) in general recognise the balancing act between the aspiration of clean air and the political and economic realities. The Thematic Strategy includes ambitious health and environmental objectives for 2020 and recognises that its aspirations will be difficult to achieve because controlling air pollution is complex not only because of its transboundary nature, but also because there are natural sources that cannot be controlled. Whilst we accept that the precautionary principle has a role in decision making it cannot be the driving factor; it must be considered along with the host of other factors that influence legislation, including the costs to industry. Putting a high burden on individual industries within Europe affects its global competitiveness, and can perversely add to global emissions.

Section 3/6: Further reducing exposure to damaging air pollution in the medium to long term

Sub-section 3.1: Ensuring coherence between air pollution and climate change policies

3. How should future EU air pollution policy interact with a new climate and energy framework for 2030? (Please choose one response) -single choice reply-(compulsory)	Other (please describe below in question 5)
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4. Should specific complementary action in the EU be pursued to curb emission of short-lived climate pollutants (SLCP) and their precursors, to improve both air quality impacts on health but also to boost climate mitigation in the short term? -single choice reply-(compulsory)	No
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5. Please feel free to provide comments on the interaction between air pollution and climate change policies: -open reply-(**optional**)

Future EU air pollution policy should maximise the synergies between the policies, but with no new air pollutant emissions reductions except those delivered by the IMO. The International MARPOL Convention controls all forms of pollution from ships, including air emissions. The revised MARPOL Annex VI on the prevention of air emissions progressively reduces the maximum permitted level of sulphur in bunker fuel. It also sets NOx emission limits for ship's engines, and limits the incineration of certain materials on-board ships. With the revised MARPOL Annex VI, Parties to IMO decided to mandate the global use of low sulphur fuels within the shipping industry. One major consideration was the energy and CO2 penalty of producing these low sulphur fuels resulting in a significant net CO2 increase from the refineries. Measures agreed at the international level to reduce emissions will help improve air quality in a regional context also. Emissions reductions will result from both recently adopted measures to reduce GHG emissions from shipping as well as from international efforts to reduce Black Carbon and these reductions should be factored into future air quality scenarios.

Sub-section 3.2a: Strategic approach and target year of future air pollution policy

6. Which target year should be the main focus of the revised Thematic Strategy? (Please choose one response) -single choice reply-(compulsory)	Don't know
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Sub-section 3.2b: Strategic approach and target year of future air pollution policy

7. How much additional progress should EU air pollution policy pursue in the revised Thematic	Don't know
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Strategy? (Please choose one response) -single choice reply-(compulsory)

8. Please feel free to provide comments on the level of ambition: -open reply-(optional)

ECSA believes it is important to have air quality (AQ) limit values to protect human health. However the limits need to be set at levels that strike the correct balance between driving AQ improvements and being economically and politically achievable. There is no point in having mandatory standards that are so challenging that most Member States face fines for non-compliance. On the other hand, the use of targets instead of limit values, in general, does not provide sufficient incentive for most Member States to drive down emissions where there are local problems. When mandatory limit values are adopted it is important that they are focused on the pollutant of concern. The limit values for a pollutant must be directly related to the health evidence for the same pollutant. The use of surrogates results in control measures being targeted at the wrong pollutant, and may result in no benefit for public health but at significant costs to society.

Sub-section 3.3: Setting Priorities

9. How should EU air pollution policy give priority to addressing either human health or the environment? (Please choose one response) -single choice reply-(compulsory)

Don't know

10. Please feel free to provide comments on setting priorities: -open reply-(optional)

Sub-section 3.4: Choice of policy instruments

Negotiate new emission reduction commitments for 2030 under the Gothenburg Protocol which are aligned with the ambition level determined for the revised strategy. To be effective, this option would require action to ensure that EU neighbouring countries join and ratify the 2020 emission reduction targets. -single choice reply-(optional)

In the National Emissions Ceiling Directive, establish emission ceilings for the 2025-2030 period which are aligned with the ambition level determined for the revised strategy. -single choice reply-(optional)

In the Ambient Air Quality Directive, adapt the AQ limit values for the 2025-2030 period to more stringent levels corresponding to the ambition level determined for the revised strategy. -single choice reply-(optional)

In EU legislation on emission sources, set more stringent emission requirements for industrial activities, motor vehicles and other air pollution sources, where cost-effective. -single choice reply-(optional)

Use non-legislative methods, such as existing EU funding schemes, urban air quality programmes, research and innovation actions or awareness raising (please specify in following question). -single choice reply-(optional)

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Other instruments (please provide comments in question 12).

-single choice reply-(optional)

12. Which other instruments should be used? -open reply-(optional)

At EU level, certain rules on the sulphur content of marine fuel, laid down in the Annex VI -Regulations of (IMO) MARPOL 73/78 Convention have been incorporated in the EU Directive 2012/33/EU. With this context the EU Commission set up in 2011 a "sustainable waterborne transport toolbox" in order to assist the shipping sector to achieve a broader set of sustainability criteria in the long run, a set of medium to long term measures are being contemplated. These measures aim at promoting the use of green ship technology, alternative fuels, the development of adequate green transport infrastructure and superstructure, exploring possible funding instruments and implementing the results of research, development and innovation activities. A first progress report on the implementation of the Sustainable Waterborne Transport Toolbox (SEC(2011) 1052 final) and its funding instruments is being finalized with the intention to be presented by the Commission in the first quarter of 2013. Alignment of EU legislation with international requirements applicable to shipping must be the priority.

Section 4/6: Revising the Ambient Air Quality Directive

Sub-section 4.1a: Aligning with latest scientific and technical knowledge

13. Should the indicative limit value for PM_{2.5} of 20 µg/m³ for 2020 be made mandatory? -single choice reply-(compulsory)

Don't know

14. Should the PM_{2.5} or other limit values in the AAQD be made more stringent to bring them closer to WHO guidance values? (Please choose one response) -single choice reply-(compulsory)

Don't know

Sub-section 4.1b: Aligning with latest scientific and technical knowledge (black carbon)

15. Should monitoring and regulation be introduced for black carbon/elemental carbon? (Please choose one response) -single choice reply-(compulsory)

No

16. Should any other components of particulate matter be addressed in the AAQD?

-open reply-(optional)

As for impacts on health and global warming, the IMO agreed a work plan on addressing the impact in the Arctic of black carbon (BC) emissions from ships and instructed IMO BLG to: develop a definition for BC emissions from international shipping; consider measurement methods for BC and identify the most appropriate method for measuring BC emissions from int. shipping; investigate appropriate control measures to reduce the impacts of BC emissions from int. shipping in the Arctic; and submit a final report to MEPC in 2014. So far no compelling need has been demonstrated for the introduction of additional regulatory measures to address the emission of BC from ships. Proposals for such measures are being made on the basis of speculative predictions that may or may not come about in the future. This is not acceptable. It is clear that when measured against the efficiency of the broader transportation sector it is clear that in terms of emissions of BC, int. shipping is several times more efficient than other modes of transport. Therefore, it is of the utmost importance to wait for the result of the work undertaken at IMO on BC, in order to build proper scientific knowledge.

Sub-section 4.1c: Aligning with latest scientific and technical knowledge (ozone)

17. Which binding limit values (if any) should the AAQD set for ozone? (Please choose one response) -single choice reply-(compulsory)

Don't know

Sub-section 4.2a: Management framework

18. Should any limit values be removed from the AAQD? If so, which? -open reply-(optional)

Sub-section 4.2b: Management framework

19. Should any *other* monitoring and reporting obligations be reduced in the AAQD? If so, which? -open reply-(optional)

Sub-section 4.2c: Management framework

20. Should zone-specific plans be consolidated into coordinated national plans? (Please choose one response) -single choice reply-(compulsory)

Don't know

21. Should cooperation among Member States be reinforced to better address transboundary pollution flows that affect local air quality problems? (Please choose one response) -single choice reply-(compulsory)

Don't know

22. Please feel free to provide comments on the options for the revision of the AAQ Directive: -open reply-(optional)

Section 5/6: Revising the National Emission Ceilings Directive (NECD)

Sub-section 5.1: Aligning with latest scientific and technical knowledge

23. Should national emission ceilings be adopted for black carbon/elemental carbon? (Please choose one response) -single choice reply-(optional)

Don't know

24. Should national emissions ceilings be introduced for other new pollutants? (Please provide written comments if you would like to propose ceilings for other pollutants) -open reply-(optional)

Sub-section 5.2a: Management framework

25. Which mechanisms for flexibility should be introduced into the NEC Directive management framework? (Please choose one or more responses) -multiple choices reply-(optional)

Sub-section 5.2b: Management framework

26. Should coordination be required between the national and local levels in respect of emissions reduction measures and local air quality management? (Please choose one response) -single choice reply-(compulsory)

Don't know

27. Please feel free to provide comments on the options for the revision of the NEC Directive: -open reply-(optional)

Section 6/6: Addressing major air pollution sources

Sub-section 6.1: Road transport

Introduce with minimum delay the new test procedure to ensure that real world emissions of Euro 6 light duty diesel vehicles are as close as possible to the type approval limit values

-single choice reply-(optional)

Strengthen EU-wide requirements for in-service compliance with emissions standards, to ensure that light-duty vehicles on European roads continue to produce low emissions over their lifetime

-single choice reply-(optional)

Develop a new, more stringent standard to be mandatory for motor vehicles after 2020

-single choice reply-(optional)

Develop a supplementary more stringent standard, not mandatory, to be used by national and local governments in a harmonised way wherever air quality exceeds EU standards (e.g. to establish low emission zones), or to establish incentives at MS level to increase penetration of cleaner vehicles

-single choice reply-(optional)

Introduce standards to retrofit existing heavy duty vehicles (e.g. trucks, buses) to reduce their air pollution emissions

-single choice reply-(optional)

Introduce a mandatory road charging scheme for heavy duty vehicles that incorporates air pollutant emissions ("eurovignette directive")

-single choice reply-(optional)

Develop additional test-cycle components specific to the driving patterns of special purpose urban vehicles (e.g. buses and refuse collection vehicles), to ensure that pollution control technologies operate effectively under real urban driving conditions

-single choice reply-(optional)

Other (please provide comments in question 29)

-single choice reply-(optional)

No additional measures should be introduced

-single choice reply-(optional)

Don't know

-single choice reply-(optional)

29. Please feel free to comment on your answers regarding regulation of road transport emissions: -open reply-(optional)

Sub-section 6.2: Off-road transport and non-road machinery

Extend the scope of application of current Stage IV NRMM standards to additional power classes and applications, including stationary applications

-single choice reply-(optional)

Introduce as soon as possible a more stringent Stage V standard for non-road machinery, aligned with the limit values of the most stringent Euro VI regulation for heavy duty road vehicles, which would further reduce especially PM emissions.

-single choice reply-(optional)

Ensure that approval emission tests reflect the machinery's emissions in real world circumstances -single choice reply-(optional)

Ensure that there are incentives for retrofitting and/or replacing older inland waterway vessels' engines by newer and cleaner ones -single choice reply-(optional)

Other (please provide comments in question 31)

-single choice reply-(optional)

No additional measures should be introduced

-single choice reply-(optional)

Don't know -single choice reply-(optional)

31. Please feel free to comment on your answers regarding regulation of emissions from off-road transport and non-road machinery: -open reply-(optional)

Sub-section 6.3: Agricultural sector

Set tighter emission ceilings for ammonia for 2020 and 2030 in the NEC Directive, leaving flexibility to Member States on how these ceilings can best be reached

-single choice reply-(optional)

Where cost effective, introduce new or revise existing EU legislation to establish EU-wide specific rules for e.g. improved manure storage, management and spreading techniques -single choice reply-(optional)

Promote good practices in manure management and manure spreading in Member States through support from the Rural Development Fund -single choice reply-(optional)

Introduce measures to ban or restrict the burning of agricultural waste

-single choice reply-(optional)

Other (please provide comments in question 33)

-single choice reply-(optional)

No additional measures should be introduced

-single choice reply-(optional)

Don't know -single choice reply-(optional)

33. Please feel free to comment on your answers regarding regulation of emissions from the agricultural sector: -open reply-(optional)

Sub-section 6.4: Small/medium combustion sector

34. Which additional measures should be taken to address air emissions from small and medium combustion installations (below 50 MW)?

(Please choose one or more responses) -multiple choices reply-(optional)

35. Please feel free to comment on your answers regarding regulation of emissions from the small/medium combustion sector: -open reply-(optional)

Sub-section 6.5: Shipping sector

36. Which additional measures should be taken to address air emissions from the shipping sector? (Please choose one or more responses)

-multiple choices reply-(optional)

Other (please elaborate below)

37. Please feel free to comment on your answers regarding regulation of emissions from the shipping sector: -open reply-(optional)

In agreement with the EU Commission DG ENVIRONMENT, due to the late availability of the EC report on the Evaluation of emissions from international shipping and assessment of scenarios to establish new emission control areas and other possible measures conducted by VITO, we reserve the rights to reply separately by email to the ENV-AIR mailbox within a fixed time (timeline to be defined). Preliminary comments are provided with Question 38 – 'Final comments'.

Final comments

38. Please feel free to provide any further comments related to the revision of the Thematic Strategy on Air Pollution: -open reply-(optional)

ECSA believes that emissions from international shipping should be regulated at the international level (i.e. IMO) due to the global nature of the sector, and that regional measures should be avoided. The NEC Directive correctly excludes international shipping. The MARPOL Convention controls all forms of pollution from ships, incl. air emissions. MARPOL Annex VI on the prevention of air emissions progressively reduces the max. permitted level of sulphur in bunker fuel. It also sets NOx emission limits for ship's engines, and limits the incineration of certain materials on-board ships. The majority of air emissions from shipping occur outside ports and at some distance from centres of population. ECSA believes that it is important that any requirements on the shipping industry are in proportion to its contribution to air quality, acidification and eutrophication. Those requirements should be soundly based, use good scientific and medical evidence, and the decision making process should be fully transparent. ECSA believes that improvements to air quality should be considered in the wider policy and economic context, and that new legislation should not be promulgated in isolation and regardless of cost. Moreover, it should take into account the current efforts undertaken by the sector and future legislation and market circumstances. We therefore support the Thematic Strategy's approach of identifying the level of health and environmental protection that can be achieved taking into account both the benefits and societal costs. Further Impact Assessment is needed. In accordance with EU Directive 2012/33/EU, the introduction of any new emission control areas should be subject to the IMO process under Annex VI to MARPOL and

should be underpinned by a well-founded case based on environmental and economic grounds and supported by scientific data. The possibility of reducing air pollution from shipping, including in the territorial seas, must be subject to the same IMO process and criteria.