

COMMISSION OF THE EUROPEAN COMMUNITIES

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REPORT ON THE IMPLEMENTATION OF COUNCIL REGULATION (EEC)
No 2242/87 ON ACTION BY THE COMMUNITY RELATING TO
THE ENVIRONMENT

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1. On 23 July 1987 the Council adopted Regulation (EEC) No 2242/87 on action by the Community relating to the environment, which replaces Council Regulation 1872/84² and extends its scope.

2. Pursuant to Article 12 of Regulation 2242/87, the Commission hereby submits the annual report on the implementation of this Regulation to Parliament, the Council and the Economic and Social Committee for the period from 30 July 1987, the date of its entry into force, to 31 December 1988.

3. During this period, implementation of the Regulation was restricted to the fields covered by Article 1(1)(a) and (b) on the one hand (clean technologies, techniques for recycling and re-using waste), and Article 1(1)(e) on the other (biotopes).

Wider application of Article 1(c) and (d) (techniques for locating and restoring contaminated sites, measuring and monitoring methods) is scheduled for the years 1989-91.

The Commission did not receive any request for financial support for the projects covered by Article 1(1)(f) (soils).

At the Commission's request, Member States have nominated their representatives for the Advisory Committee pursuant to Article 4. The Committee met separately to discuss Article 1(1)(a), (b), (c) and (d) items on the one hand and Article 1(1)(e) and (f) items on the other. It adopted the same rules of procedure as drawn up under Regulation 1872/84.

5. CLEAN TECHNOLOGIES AND TECHNIQUES FOR RECYCLING AND RE-USING WASTE

5.1 The Commission consulted the Advisory Committee on 22 January 1988 on the preparation of an invitation to submit applications for financial support for demonstration projects in the fields of clean technologies and techniques for recycling and re-using waste.

The invitation was published on 30 March 1988.³ It contained detailed information on the eligibility and selection criteria, financial aspects, the procedures to be followed in this sphere of Community action and a list of the fields of application of the tender notice. There was a three-month period until 30 June 1988 for submission of applications.

¹ OJ L 207, 29.7.1987, p. 8.

² OJ L 176, 3.7.1984, p. 1.

³ OJ C 82, 30.3.1988, p. 3.

5.2 The Commission received 101 applications for an amount totalling approximately ECU 328 million in response to this call for proposals. Of these, 22 were rejected at the outset because they did not fit any of the fields of application listed. Of the 79 proposals eligible for financial support, 19 (= 24%) come under Article 1(1)(a) (clean technologies) and 60 (= 76%) under Article 1(1)(b). The total amount of these proposals is approximately ECU 177 million. Table 1 gives a breakdown by country.

TABLE 1: Call for proposals of 30 March 1988 - breakdown of projects

Member State	Proposals		Applications eligible	
	Number	Total cost (ECU)	Number	Total cost (ECU)
Belgium	10	18 082 294	9	18 057 382
Denmark	2	6 220 200	2	6 220 200
Germany	13	16 919 972	11	11 317 785
Greece	10	12 165 243	6	7 580 326
Spain	7	57 419 775	6	56 952 249
France	21	25 375 499	16	20 277 129
Ireland	4	1 579 388	2	1 329 006
Italy	13	48 319 291	10	24 569 893
Netherlands	8	15 947 525	7	15 512 292
Portugal	2	2 124 543	2	2 124 543
United Kingdom	11	123 926 000	8	12 906 809
TOTAL	101	328 079 000	79	176 847 000

5.3 The 79 projects accepted were evaluated by independent technical experts in collaboration with the Commission. A total of 24 projects was considered suitable for the granting of Community financial support.

5.4 The Advisory Committee gave a favourable opinion on 12 projects on 17 October 1988. The Commission subsequently approved financial support on 6 December 1988⁴ for 11 projects, listed in Annex I, covered by Article 1 (1)(a) or (b), at a total cost of approximately ECU 2 365 million. Financial support of about ECU 335 000 under a non-ACE budget heading was granted to the 12th project on the recovery of lead from waste batteries (Italy).

No Member State initiated the procedure set out in Article 5(2) of the Regulation regarding these projects.

5.5 The Commission prepared a list of 12 other projects for discussion by the Committee at the beginning of 1989. It will decide on possible financial support on the basis of the Committee's opinions.

⁴ Doc. C(88)2269 final.

6. TECHNIQUES FOR LOCATING AND RESTORING CONTAMINATED SITES AND MEASURING METHODS

The Commission proposed fields of application for projects covered by Article 1(1)(c) (techniques for locating and restoring contaminated sites), which the Committee discussed at its meetings of 3 June and 17 October 1988.

The Commission plans to select as fields of application for the projects covered by Article 1(1)(d), techniques and methods which, in addition to their evident environmental value, have passed the research stage and require a demonstration stage for their development.

It is planned to publish an invitation to submit proposals at the end of 1989, after more thorough preparation by the Commission and consultation of the Committee, for the projects covered by Article 1(1)(c) and (d).

7. BIOTOPES

7.1 By 31 December 1988 Member States had submitted to the Commission 94 eligible applications for financial support under Article 1(1)(e) for a total amount of ECU 65 million (Table 2). These figures also include applications made under the old system which have been renewed under the new Regulation. The Commission also received several applications to extend projects already in progress.

TABLE 2: ACE biotopes applications (status 31 December 1988)

Member State	Eligible applications	
	Number	Total cost (ECU)
Belgium	1	540 000
Denmark	5	3 140 000
Germany	3	8 245 000
Greece	8	6 828 000
Spain	16	9 501 000
France	18	5 050 000
Ireland	15	4 804 000
Italy	9	4 684 000
Belgium + Luxembourg	1	1 756 000
Netherlands	6	2 160 000
Portugal	2	9 336 000
United Kingdom	10	8 971 000
TOTAL	94	65 015 000

7.2 The Commission assessed these applications according to standard criteria and with the help of independent scientific experts. It met with the Committee on 7 September 1988 to discuss the projects. At this meeting, the Committee gave a favourable opinion on 27 projects for an estimated total amount of ECU 8.63 million. Six complete applications and one part-application for a total of approximately ECU 9.6 million were withdrawn by the Member States concerned.

7.3 On the basis of the favourable opinions issued by the Committee under the old Regulation, the Commission was able to grant ECU 564 000 on 9 December 1987 to extend project 6611/86/11-1 on the protection and development of a bird sanctuary at the Marismas del Guadalquivir⁵ and ECU 516 000 on 14 December 1987 for a project under the white stork conservation and support programme in Bavaria⁶ (first two projects in Annex II).

7.4 By its Decision of 23 November 1988⁷ based on the opinions adopted on 7 September 1988 by the Committee, the Commission approved the granting of Community financial support for 10 projects in Annex II for a total amount of ECU 2.051 million. None of the Member States invoked the procedure provided for in Article 5(2) of the Regulation for any of these projects.

8. CONCLUSIONS

8.1 After three years of implementing the old Regulation 1872/84 and more than one year with the new Regulation 2242/87, the ACE scheme has become an extremely important instrument, not only for the implementation of Community environment policy, but also for the achievement of national policy objectives. This emerges from the considerable interest on the part of companies to participate in the "techniques" section and the major efforts by public bodies and NGOs to submit biotope projects.

8.2 It is clear that there is a fundamental, pressing need for Community action on the environment and for Community financial support that exceeds by far the appropriations deemed necessary by the Regulation and made available in the Community budget. The applications submitted to the Commission by the end of 1988 would already justify the granting of financial support vastly in excess of the ECU 24 million mentioned in Article 1(2) of the Regulation.

8.3 The broadening of the "techniques" section of the Regulation has greatly increased the already substantial interest in this aspect of the ACE programme. The techniques for recycling and re-use of waste newly included in the Regulation have attracted three quarters of the applications submitted to the Commission in response to the 1988 call for proposals. Provided that the appropriations actually required are available, the Commission plans to use the ACE to give a major stimulus to the development of environmental protection techniques. It is convinced that, apart from the

5 Doc. C(87)2258 final.

6 Doc. C(87)2256 final.

7 Doc. C(88)2092 final.

5

effects on the environment, the direct economic benefits will exceed by far the amount of the appropriations from the Community budget deployed for these projects.

8.4 In the biotope section concerning projects providing an incentive, high-quality projects contributing to the establishment of a coherent network of special protection areas pursuant to Article 4 of Directive 79/409/EEC have been, and will be, selected. This is providing a long-term incentive to protect many biotopes that figure among the most important and the most endangered in the Community.

The projects are increasingly concentrating on sites where they are frequently the preferred instrument in order to give precedence to the environmental protection requirements of highly endangered habitats of Community importance over conflicting interests. The efforts undertaken by the competent public bodies to protect a habitat often depend on this instrument for their success. Consequently, the handicap of highly inadequate Community budget cover for these activities is becoming increasingly keenly felt.

8.5 While the Commission did not receive any applications regarding the protection or re-establishment of threatened or damaged land, it had to reject many applications submitted by Member States, because the projects proposed were not eligible within the strict meaning of Article 1(1)(e) of the Regulation.

8.6 The Commission is currently examining proposals to put to the Council with a view to exercising the option provided for in Article 1(2) of the Regulation, according to which, in the light of the first annual report provided for in Article 12, the Council, acting unanimously on a Commission proposal, may decide to review the amount estimated necessary, and with a view to amending the Regulation as provided for in Article 13(2).

Any enlargement of the scope of the Regulation in the field of nature conservation should, in particular, concern action in favour of the most endangered species in the Community other than birds, and action for the direct conservation of endangered species. In some cases this will be an indispensable follow-on to the action to protect habitats, which at present is alone eligible for support.

Such a proposal will be integrated in the overall framework of Community financial instruments benefiting the environment and will therefore take account of the amounts considered necessary for other financial measures being prepared in this field. It will also take account of discussions in the various Community institutions on the proposal for a Council Directive on the protection of natural and semi-natural habitats of wild fauna and flora.⁸

⁸ OJ C 247, 21.9.1988, p. 3.

Annex I

No	Project Title	Member State concerned	Duration (months)	Community financial support (1 000 ECU)
ACE88/DE/002/A11	Development of a new, dry paint-stripping system to replace the use of solvents.	Germany	24	291
ACE88/IT/001/A61	Reduction of the pollution load of olive mill waste waters by means of combined chemical, physical and biological treatments, with recovery of organic matter for animal food and a concentrate of pectinolytic enzymes.	Italy	25	241
ACE88/GR/003/A61	Processing of waste gasses from the drying of olive press cake.	Greece	12	40
ACE88/GR/004/A21	Recycling of chromium as tanning agent.	Greece	24	44
ACE88/FR/001/B11	Development of a recovery system for polluting metals (cadmium) from industrial effluents.	France	12	64
ACE88/FR/011/B51	Recuperation of solvents by means of adsorption on active carbon tissue.	France	12	78
ACE88/NL/007/B11	Recovery of nickel from diluted industrial waste waters through the pellet reactor technology.	Netherlands	18	147
ACE88/UK/004/B11	Removal of zinc, cadmium and lead from dust arising at electric furnace steel works.	United Kingdom	24	522
ACE88/ES/006/B11	Aluminium and salt recovery from slags from aluminium smelters.	Spain	24	755
ACE88/ES/007/B11	Recovery of zinc, copper and nickel from dilute solutions, applying the E.P.P.P. technology.	Spain	24	128
ACE88/PO/002/B51	Recovery of phenols in the production of phenol-formaldehyde resins	Portugal	24	55

Annex II

Project		Application sent to the Commission by	Duration	Community financial support (1 000 ECU)
No	Title			
6611/86/11-1-mod.	Protection and development of a bird sanctuary at the Marismas del Guadalquivir	Spain	9/1986 - 12/1989	564
6611/84/01-5	Programme for the protection and support of the white stork in Bavaria	Germany	1/1988 - 12/1992	516
2242/85/02-2	Final preparation for agri-pastoral management of the communal marshes at Marais Poitevin	France	7/1988 - 12/1992	64
2242/88/02-2	Conservation of the wet meadows in the Val de Saône	France	7/1988 - 12/1992	142
2242/88/02-3	Restoration and protection of the "Bec de Dore" site	France	7/1988 - 12/1991	17
2242/88/02-4	Rehabilitation of the Barthes de L'Adour at Saint Martin de Seignanx	France	7/1988 - 12/1990	56
2242/88/02-6	Creation of a nature reserve at Vauvert	France	7/1988 - 12/1992	93
2242/88/02-7	Creation of a nature reserve at Crau	France	7/1988 - 12/1991	388
2242/88/08-568911	Protection and management of <u>Anser albifrons flavirostris</u> habitats in Ireland	Ireland	6/1988 - 12/1991	500
2242/88/11-1	Raptor sanctuary in the Sierra de Hornachos	Spain	7/1988 - 12/1991	585
2242/88/11-2	Conservation of the wintering areas of <u>Grus grus</u> in Extremadura	Spain	7/1988 - 12/1991	71
2242/88/11-3	Conservation of an <u>Aegypius monachus</u> habitat in the Sierra de Gata	Spain	7/1988 - 12/1991	135

8