

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

5453/87 (Presse 42)

1151st meeting of the Council

- Environment -

Brussels, 19/20 March 1987

President: Mrs Miet SMET

State Secretary for the Environment
of the Kingdom of Belgium

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mrs Miet SMET State Secretary for the Environment

Denmark:

Mr Christian CHRISTENSEN Minister for the Environment and
Minister for Nordic Affairs

Mr Mogens BUNDGAARD-NIELSEN State Secretary,
Ministry of the Environment

Germany:

Mr Walter WALLMANN Federal Minister for the Environment

Mr Martin GRUENER Parliamentary State Secretary,
Federal Ministry of Economic Affairs

Mr Wolfgang GROEBL Parliamentary State Secretary,
Federal Ministry of Economic Affairs

Greece:

Mr Evangelos KOULOUMBIS Minister of Public Works, Regional
Planning and the Environment

Spain:

Mr Javier SAENZ COSCULLUELA Minister for Public Works and
Town Planning

France:

Mr Alain CARIGNON Minister attached to the Minister
for Infrastructure, Housing, Town
and Country Planning and Transport,
with responsibility for the
Environment

Ireland:

Mr Ger CONNOLLY Minister of State at the Department
of the Environment

Italy:

Mr Francesco de LORENZO Parliamentary State Secretary,
Federal Ministry of Economic Affairs

Luxembourg:

Mr Roberts KRIEPS

Minister for the Environment

Netherlands:

Mr E.H.T.M. NIJPELS

Minister for Housing,
Planning and the Environment

Portugal:

Mr Carlos PIMENTA

State Secretary for the Environment
and Natural Resources

United Kingdom:

Mr William WALDEGRAVE

Minister for the Environment,
Countryside and Planning

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Commission:

Mr Stanley CLINTON DAVIS

Member

SULPHUR CONTENT OF CERTAIN LIQUID FUELS (GAS OIL)

The Council agreed to the Directive amending Directive 75/716/EEC on the approximation of the laws of the Member States relating to the sulphur content of certain liquid fuels (gas oil).

This Directive, with which Member States will have to comply by 1 January 1989, represents a distinct advance on the existing Directive. It provides for air pollution to be reduced, particularly in urban areas, by limiting the sulphur content of gas oil to 0,3%. In addition, Member States may make the use of gas oils with a 0,2% sulphur content compulsory in certain environmentally sensitive areas.

It is stipulated that, three years after notification of the Directive, the Commission shall submit to the Council a report accompanied by an appropriate proposal on which the Council must decide before 1 December 1991.

FOURTH COMMUNITY ENVIRONMENTAL ACTION PROGRAMME (1987-1992)

Pending receipt of the Opinions of the European Parliament and the Economic and Social Committee, the Council reached in principle on the following Resolution on the continuation and implementation of a European Community policy and action programme on the environment (1987-1992):

THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

Note that the projects to which the appended programme will give rise should in some cases be carried out at Community level and in others be carried out by the Member States;

With regard to the projects to be carried out by the Member States, the latter will supervise their proper execution, it being understood that for these projects the Council will exercise the co-ordinating powers laid down in the Treaties;

With regard to the projects in the programme to be carried out by the institutions of the European Communities:

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas the Treaties establishing the European Communities, as amended by the provisions of the Single European Act, provide for the development and implementation of a Community policy on the environment, and lay down the objectives and principles which should govern such policy;

Whereas the declaration of the Council of the European Communities and of the Representatives of the Governments of the Member States, meeting within the Council, of 22 November 1973 calls for the implementation of a European Communities programme of action on the environment; whereas the action programme was extended and supplemented for the period 1977 to 1986 by the Resolutions of the Council and the Representatives of the Governments of the Member States, meeting within the Council, of 17 May 1977 and of 7 February 1983; whereas the programme of action is still valid and whereas it should be updated, further implemented and supplemented for the period 1987 to 1991 by new tasks which prove to be necessary;

Whereas it is necessary, in accordance with the Treaty as amended by the Single Act, to avoid the adoption by the Member States of divergent measures likely to produce economic and competition distortions in the Common Market;

Whereas the European Year of the Environment, which begins on 21 March 1987, offers a welcome opportunity of initiating the changes of attitude and promoting the action necessary to give practical effect to these perceptions;

RECALLS that the Single European Act, which constitutes a new legal basis for Community policy on the environment, lays down that action by the Community relating to the environment shall have the following objectives:

- to preserve, protect and improve the quality of the environment,
- to contribute towards protecting human health,
- to ensure a prudent and rational utilization of natural resources.

RECALLS that the Single Act lays down that:

- action by the Community relating to the environment shall be based on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source, and that the polluter should pay;
- environmental protection requirements shall be a component of the Community's other policies;
- within their respective spheres of competence, the Community and the Member States shall co-operate with third countries and with the relevant international organizations.

RECALLS. in conclusion, that in preparing its action relating to the environment, the Community will take account of:

- available scientific and technical data;
- environmental conditions in the various regions of the Community;
- the potential benefits and costs of action or of lack of action;
- the economic and social development of the Community as a whole and the balanced development of its regions;

RECALLS, moreover, that the Single Act provides that the Community shall take action relating to the environment to the extent to which the above objectives can be attained better at Community level than at the level of the individual Member States; that, without prejudice to certain Community measures, Member states shall be responsible for financing and implementing other measures;

RECALLS, finally, that under the single Act, the Commission, in its proposals on health and environmental protection, takes as a basis a high level of protection;

RECOGNIZES that the protection of the environment can help to improve economic growth and facilitate job creation;

WELCOMES the Commission's intention of working closely with industry, trade unions and interested non-governmental organizations in the elaboration and implementation of environmental policy and programmes;

UNDERLINES the particular importance it attaches to the implementation of the Community legislation and INVITES the Commission to review systematically the application and the practical effects of existing Community policy and to provide regular reports on this to the Council and the European Parliament so that an assessment of the effectiveness of such a policy can be made and, inter alia, useful guidelines for future proposals determined;

DECLARES that, in view of the foregoing, and on the basis of past achievements, it is important for Community action to concentrate on the following priority areas; having regard to the respective powers of the Community and of the Member States:

Pollution prevention

(a) reduction at source of pollution and nuisance in various areas:

- combating air pollution, inter alia by effective implementation of existing Council Directives on air quality and air pollution from industrial plants, and by adopting and implementing measures concerning emissions from large combustion plants and motor vehicles;
- combating fresh-water and marine pollution from specific or diffused sources inter alia by the application of Council Directive 76/464/EEC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community, and by the general improvement of the Community's aquatic environment in particular the North Sea and the Mediterranean :
- combating soil pollution, among others that caused by agro-chemical products and toxic wastes;
- harmonized implementation of the existing Directives on toxic and dangerous wastes, in particular the transfrontier transport thereof.

In this context, Community action shall take particular account of the need to:

- = prevent the transfer of pollution from one part of the environment to another;
- = combat transfrontier pollution;

(b) control of chemical substances and preparations

- evaluation, in particular through greater use of multi-environment studies, of risks to the environment and human health caused by chemical substances and preparations,
- identification and application of the most efficient and economical control measures for these substances which are a potential hazard for the environment and consumers' health;

(c) prevention of industrial accidents:

Measures for the general prevention of industrial accidents and an effective response and restriction of the consequences of accidents which might nevertheless occur, by:

- more effective application of Council Directive 82/501/EEC on the major-accident hazards of certain industrial activities;
- review of this Directive, if necessary, to include inter alia a possible widening of its scope;
- greater exchange of information on the matter between Member States;

(d) combating noise pollution at source;

(e) measures concerning the evaluation and best use of biotechnology with regard to the environment;

(f) effective action to protect the health of the population and the environment from harm through nuclear radiation both as a result of normal operations and in the circumstances of an accident;

Improvement in management of resources

(g) measures to protect and enhance Europe's natural heritage, in particular:

- implementation of existing Council acts such as Council Regulation (EEC) No 3626/82 on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora and Council Directive 79/409/EEC on the conservation of wild birds:

- the protection, as laid down in the Treaty, of areas of importance in the Community, inter alia in the framework of Directive 79/409/EEC, or of areas which are particularly sensitive environmentally, and encouragement of the revival of areas which are environmentally impaired;

- protection of forests against atmospheric pollution and forest fires, including the implementation of the measures laid down in Regulations (EEC) No 3528/86 on the protection of forests against atmospheric pollution and No 3529/86 on the protection of the Community's forests against fires;

(h) measures relating to natural or man-made hazards or disasters affecting public health and the environment, including both evaluation of risk and adequate response;

(i) encouragement of agricultural practices which are environmentally beneficial;

(j) protection of the soil, in particular by combating erosion, by conserving plant cover, by the prevention of damage caused by certain industrial and agricultural activities and by combating such damage while bearing in mind the various geomorphological characteristics of the different areas;

- (k) improving water resources and the management of water, in particular by reducing water pollution, protecting catchment areas and encouraging the re-use of waste water;
- (l) the development of improved waste management in relation to reduction of quantities, treatment, recycling and re-use;
- (m) overall and integrated environmental protection of the Mediterranean region, taking particular account of all the specific aspects of that region when giving practical application to the action programme;

International activities

- (n) support and, where appropriate, active participation by the Community and the Member States in the activities of international organizations concerned with environmental protection within the framework of their respective powers;
- (o) co-operation with developing countries on environmental matters and on protection of natural resources, having particular regard to questions of desertification and water supply, tropical forests and the production and use of dangerous substances or products and technological co-operation;

Development of appropriate instruments

- (p) improving the scientific bases of environment policy, inter alia, through appropriate research programmes;
- (q) effective implementation of Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment and the integration of the environmental dimension in other Community policies;

- (r) implementation of appropriate standards in order to ensure a high level of public health and environmental protection;
- (s) development of efficient economic instruments such as taxes, levies, State aid, authorization of negotiable rebates with a view to implementing the principle that the polluter pays, in accordance with the Council Recommendation of 3 March 1975 regarding cost allocation and action by public authorities on environmental matters (the "polluter pays" principle)
- (t) encouraging the development, dissemination and distribution of clean technology, notably in the case of heavily polluting industries;
- (u) improved access to information on the environment;
- (v) increased effort to promote environmental education and training at appropriate levels, and greater public awareness;

NOTES the action programme and approves in general the guidelines;

UNDERTAKES to act on the Commission proposals wherever possible within nine months of the date on which they are submitted or, as the case may be, of the date on which the Opinions of the European Parliament and of the Economic and Social Committee are submitted;

STATES that the decision to make available the financial resources necessary for implementing this Resolution and the action programme attached thereto will be taken in accordance with the usual procedures, in compliance with Article 130 R of the Single Act, and in particular paragraph 4 thereof.

POLLUTANT EMISSIONS FROM MOTOR VEHICLES

The Ministers for the Environment of Belgium, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom meeting within the Environment Council on 19 and 20 March 1987;

- having taken note of the progress of recent discussions at every Community level on the problem of limiting and controlling pollutant emissions from motor vehicles;
- having established that significant progress is being made towards the regulation of the emission of pollutant gases by the diesel engines of heavy commercial vehicles and that discussions are continuing in order to develop a similar standard as regards the particles emitted by the diesel engines of motor vehicles;
- having been obliged, on the other hand, to recognize that no significant progress has recently been made on the proposal for the amendment of Directive 70/220/EEC, submitted as long ago as 1984 with the intention of achieving greater reductions in the emissions of petrol-driven motor vehicles;
- recalling that at the Council meeting on the Environment held in Luxembourg on 27 June 1985 the countries represented reached broad convergence on all the principal aspects of that further reduction, expressing the intention formed in a document known as the Luxembourg Agreement;

- recognizing the growing concern expressed by their own people at the fact that the original, more important part of the efforts to limit the emissions in question, the part that concerns petrol-driven motor vehicles and was the subject of the Luxembourg Agreement, still awaits approval by the Council;

consider it necessary to make in this statement a solemn confirmation of the value they continue to attach to all the conclusions reached in the Luxembourg Agreement of 27 June 1985 and supplemented by the same parties at the Council meeting on the Environment on 28 November 1985;

consider it necessary to examine as soon as possible the proposals to be submitted by the Commission on the appropriate measures for pollution in Athens, as agreed on 27 June 1985;

undertake, accordingly, to take decisively every appropriate initiative to bring about the amendment of Directive 70/220/EEC in accordance with the Luxembourg Agreement within the framework of the procedures laid down in the Treaty;

undertake, finally, to continue all action taken in the field of the reduction of pollutant emissions by motor vehicles, whether petrol-driven or diesel-driven, bearing in mind the need to regard the various existing proposals as part of a set of co-ordinated measures.

The Danish Minister said that Denmark continued to consider that the proposals submitted concerning air pollution by motor vehicles were far too weak. Denmark could not therefore co-operate in a decision which would in reality bring to a standstill the endeavours to make progress for many years to come.

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As regards the proposal for a Directive on the emission of particles by the engines of private motor vehicles the President established that although positions had moved somewhat closer together it was not possible to reach agreement at that meeting.

As regards the proposal for a Directive concerning heavy commercial vehicles, pending the delivery of the European Parliament's Opinion 11 Member States agreed on a common approach on the basis of a Presidency compromise while the Danish delegation entered a formal reservation.

LARGE COMBUSTION INSTALLATIONS

1. The Council examined a proposal from the Presidency dealing on the one hand with a new approach to the problem of reducing emissions from large combustion installations and on the other with the various unresolved points with regard to the limit values to be set for new installations.

2. As regards the reduction of emissions, the Council acknowledged that the chief problem was to fix an overall objective aimed at reducing, at Community and Member State level, emissions of SO₂ and NOx from large combustion installations. The three key elements remain the level of the final reduction target, the final date by which the reduction will be achieved and the phasing within this time frame. In view of the need for a balanced level of effort, account should also be taken of the different conditions obtaining in the Member States.

3. While unable at this point to agree finally on all aspects of the new approach of the Presidency, the Council thought that it represented a useful framework for achieving progress in discussions in this area.

4. With regard to the limit values to be fixed for the new installations, the Council considered that the set of proposals from the Presidency amounted to a guideline which should produce acceptable solutions. In particular, the Council noted with satisfaction the significant progress achieved with regard to the level of the proposed limit values. Although it recognized the need for detailed examination of the solutions that might be contemplated for certain specific situations, the Council also particularly emphasized the wisdom of aiming in principle at uniform arrangements applicable to all new plants.

5. Finally, the Council noted that some progress had been made on all outstanding problems. It reaffirmed its determination to reach swift agreement and instructed the Permanent Representatives Committee to press ahead with discussions on the basis of the proposals currently being looked at, with a view to submitting specific proposals for decision at its next meeting.

All delegations will strive to contribute to the achievement of agreement at the next Council meeting in May.

LEAD IN PETROL

Recalling its conclusions of 24 November 1986, the Council was favourably inclined towards the possibility of a Member State prohibiting the distribution of leaded regular petrol without adopting a position at this juncture on the legal instruments provided for in the Treaty to be used to that end. It stipulated that this was not a first step towards prohibiting leaded regular petrol at Community level and could not be invoked as a precedent for justifying such a prohibition.

It called upon the Permanent Representatives Committee to prepare a formal decision for its next meeting in the light of the Opinions expected from the European Parliament and the Economic and Social Committee.

CFCs

The Council considered the progress made concerning the draft Protocol to the Vienna Convention, the purpose of which is to reduce the release into the atmosphere of certain chlorofluorocarbons likely to deplete the ozone content of the stratosphere. It should be recalled that the Commission has been taking part in these international negotiations on the Community's behalf since December 1986.

Concluding its discussions, the Council instructed the Commission to continue the negotiations taking account of the various comments made in the course of the debate and to report back to it on the progress of the negotiations at the Council's meeting in May.

COMMUNITY EXPORTS AND IMPORTS OF CERTAIN DANGEROUS CHEMICALS

The Council conducted a preliminary examination of the proposal for a Council Regulation concerning export from and import into the Community of certain dangerous chemicals.

The Council stressed the importance it attaches to the control of dangerous chemicals exported to third countries. In this context, it instructed the Permanent Representatives Committee to continue proceedings on the problems outstanding with a view to reaching agreement on the proposal on the basis of the principles adopted by the OECD and the UNEP so that the Community instrument can be approved by the Council at its next meeting on 21 May 1987.

The Council also noted that certain Member States had already implemented additional measures in their territory, including the system of "prior informed choice" of the country importing the dangerous chemicals. The Commission would welcome other Member States taking steps to test the practical value of such approaches and to acquire experience of their application. The Council invites the Commission to examine this question in greater detail and to submit, where necessary, in the light of the information supplied by the Member States and developments in relevant international practices, appropriate proposals with a view to the possible adjustment of the Community instrument.

MISCELLANEOUS DECISIONS

Other decisions in the environmental field

- Asbestos

The Council adopted the Directive on the prevention of environmental pollution by asbestos.

It should be recalled that asbestos is already within the scope of a certain number of Community Directives on the management of toxic and dangerous waste, combatting atmospheric pollution from industrial installations and, in particular, the Directive fixing limit values for atmospheric pollution caused by asbestos in order to protect workers exposed to it.

This new Directive is intended to supplement Community legislation in this area and is aimed at preventing or reducing emissions from all sources causing pollution of the environment in general (air, water and the soil) and constituting a risk to human health. In particular, it will apply to activities involving the production of raw asbestos, the manufacturing and the industrial finishing of a certain number of products containing raw asbestos, activities which are likely to release asbestos into the environment, and the transport and deposition of asbestos waste.

- Major accident hazards of certain industrial activities

The Council then adopted the Directive amending the Directive (82/501/EEC) on the major-accident hazards of certain industrial activities.

Some of the amendments which the Council approved are intended to strengthen the provisions concerning certain industrial activities which involve, or may involve particularly dangerous substances (chlorine, phosgene and methyl isocyanate). The other amendments are intended to improve the definition of certain substances and the corresponding threshold quantities in order to highlight the various degrees of danger (e.g., ammonium nitrate, nickel compounds and cobalt compounds).

As the basic Directive has been applicable for a short time only, experience and the knowledge acquired in this connection are still limited and the new Directive involves only a limited revision of the existing legislation. The Commission will constantly monitor the situation as regards the substances under surveillance pursuant to this Directive and, if appropriate, will submit proposals for amendments concerning these substances, if necessary, even before the overall systematic review of the Directive which has already been announced.

It should be recalled that at its meeting on 24 November 1986 the Council also invited the Commission to examine the possibility of negotiating with European non-member countries bilateral or multilateral agreements aimed at extending the provisions of Directive 82/501/EEC and Decision 81/971/EEC (Decisions establishing a Community information system for the control and reduction of pollution caused by hydrocarbons discharged at sea).

Agriculture

The Council adopted in the official languages of the Communities the Decision amending Decision 83/641/EEC adopting joint research programmes and programmes for co-ordinating agricultural research. This amendment involves the allocation of an additional amount of 20 MECU to these programmes.

(See Press Release 4899/87 (Presse 33) - 2 and 3 March 1987)

The Council also adopted in the official languages of the Communities the Regulation amending Regulation (EEC) No 8/81 on the disposal by the Hellenic Republic of raw tobacco stocks existing in Greece and coming from harvests prior to accession. The purpose of this amendment is to extend until 1 January 1989 the period allowed for the disposal of those stocks.

Brussels, 18 March 1987

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NOTE BIO (87) 67 AUX BUREAUX NATIONAUX
cc: AUX MEMBRES DU SERVICE DU PORTE-PAROLE

PREPARATION OF ENVIRONMENT COUNCIL 19-20 MARCH 1987 (Michael BERENDT)

The Council will begin on Thursday morning with discussion of the proposals for reducing emissions from large combustion plant, particularly power stations. In an attempt to find a compromise which will meet the special demands of different Member States, the Presidency has proposed a two-part package, dealing with reduction of global emissions and standards for new plant.

For reducing global emissions, the Presidency's paper takes the Commission's original proposals for a 60 per cent reduction in sulphur dioxide and 40 per cent reduction in nitrogen oxides for each Member State, with reductions in two phases, in 1993 and 1998. However, special arrangements would be negotiated for those countries which had introduced new power station capacity since the base date of 1980 and for dealing with special problems such as those caused by high sulphur fuel. In these cases different dates might be possible.

New rules setting standards for new plant of more than 50 MW are likely to cause less difficulty in the Council than the reduction of global emissions. The Presidency paper envisages special arrangements for emissions at times of peak load and for high sulphur coal and lignite.

A Council decision is within sight for reducing the sulphur content of gasoil. This fuel is used widely for central heating. Once adopted, the legislation will reduce the maximum sulphur content from 0.5 to 0.3 per cent, but will allow a level of 0.2 per cent to be set in certain regions of the Community as from January 1 1989.

Vehicle emissions will once again be on the agenda, with the possibility of real progress on diesel emissions from heavy goods vehicles, where two dates are envisaged for tighter standards, April 1 1988 for new models of vehicle and October 1 1990 for all new vehicles. Decisions are not expected on private cars, where the Danes and the Greeks are still blocking the 1985 compromise. The Commission proposal which would allow a Member State to ban the sale of regular petrol containing lead, which is of particular urgency for the German Minister, is expected to receive a more sympathetic hearing.

The Council will have an exchange of views on the progress of international negotiations on chlorofluorocarbons, which are suspected of damaging the ozone layer which protects the earth from solar radiation, in preparation for the next negotiating session which will be held in Vienna from April 27-30. There is broad agreement on the Community's negotiating position, although some differences over timing and scale of any future reductions in emissions of CFCs.

The Thursday afternoon and evening will be devoted to launching the European Year of the Environment. At 14h30 a sculpture will be unveiled in the presence of environment ministers outside Commission headquarters, followed by a walk in the woods. Ministers will then return to the Palais Egmont for a Béjart ballet, an art competition and a reception. Special arrangements have been made for the press to participate.

Regards,


H. PAEMEN

Brussels, 19 March 1987

NOTE BIO (87) 67 SUITE 1 AUX BUREAUX NATIONAUX
cc: AUX MEMBRES DU SERVICE DU PORTE-PAROLE

ENVIRONMENT COUNCIL 19-20 MARCH 1987 (Michael BERENDT)

The Environment Council made a productive start, with quick decisions on four main points:

1. Sulphur in gasoil: This proposal, put forward in 1985, provides for a reduction in the sulphur content of gasoil, which is widely used as central heating oil and diesel fuel. The current maximum levels are 0.5 per cent or 0.3 per cent sulphur. As from January 1 1989 these figures will be reduced to 0.3 per cent, with 0.2 per cent in particular regions. Germany, Denmark, the Netherlands and Italy have already said that they intend to adopt the lower figure. The reductions in these four countries alone will cut emissions for the Community as a whole by more than 15 per cent. The impact is likely to be greatest in urban areas where central heating oil is widely used.

The Council will decide before the end of 1991 on a single figure.

2. Asbestos: The Council formally adopted a directive on prevention of environmental pollution by asbestos. This sets standards for the first time in Community law to limit emissions into air and water from factories working with asbestos and lays down strict conditions to prevent asbestos fibres and dust escaping into the atmosphere when being transported or dumped.

3. Seveso directive: Council formally adopted modifications to the Seveso directive on major accident hazards which will extend the scope of the directive by reducing the quantities of certain dangerous substances which can be held on site or used for manufacture before the protection and reporting obligations of the Seveso directive become fully applicable. Thus the quantity of chlorine is reduced from 200 to 75 tonnes, of phosgene from 20 tonnes to 750 kg and for methyl isocyanate from 1000 kg to 150 kg.

4. Fourth Action Programme: Agreement in principle was given by Ministers to the Commission's proposals for the Fourth Action Programme, which will run from 1987 until 1992. The Commission's original text was adopted unchanged.

The Council also discussed the current international negotiations on chlorofluorocarbons, which are suspected of damaging the ozone layer. Ministers gave full support to the Commission for negotiating on behalf of the Community. The next session will be held from April 27-30, probably in Vienna. While all delegations accepted the need for flexibility in the talks, the Council approved positions which would introduce a freeze on production, followed by an automatic cut (20 per cent after six years is suggested). A review procedure would then be established to allow rapid further reductions in the light of any new scientific evidence.

This afternoon Ministers have participated in a series of ceremonies to mark the opening of the European Year of the Environment. On Friday they will continue with the Council agenda.

Regards,


H. PALMEN

Brussels, 23 March 1987

NOTE BIO (87) 67 SUITE 2 ET FIN AUX BUREAUX NATIONAUX
cc: AUX MEMBRES DU SERVICE DU PORTE-PAROLE

ENVIRONMENT COUNCIL 19-20 MARCH 1987 (Michael BERENDT)

The second day's session of the Council saw an agreement on heavy vehicle pollution and on lead in petrol:

1. Emissions from lorries and coaches: Ministers agreed this proposal, which for the first time will set emission standards for lorry and coach exhausts. The standards will come into effect from April 1 1988 as far as new models are concerned and from October 1 1990 for all new vehicles. The present pollution of nitrogen oxides from this source is reckoned to be about 3 million tonnes for the Community as a whole, the Council decision is expected to reduce that by 20 per cent, as compared with the existing United Nations (ECE) standards. There should be a corresponding reduction of 30 per cent in hydrocarbons and 20 per cent in carbon monoxide.

This decision is only the first phase; the Commission will put forward proposals for phase two before the end of 1988.

2. Leaded petrol: The decision on heavy vehicle emissions was made conditional by the German minister on a decision in principle accepting the Commission proposal for a Member State to have the right to ban the sale of leaded regular petrol. The Council reached agreement, which included a declaration required by the Spanish minister stating that the move must not be seen to anticipate a general move to ban leaded regular petrol. The final text will be adopted in May when the opinions of the European Parliament and the ECSC should be available.

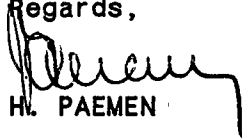
The decisions in the motor vehicles sector were accompanied by a statement which covered other aspects of vehicle emissions and declared the Council's determination to continue its work "as a co-ordinated set of measures".

3. Large combustion plant: The Council remains far from agreement on this dossier, although ministers now seem closer to a consensus on the best way of approaching the problem. For new combustion plant there are still two different views on the size of the plant to be covered - 50MW or 100MW, on the practicability of including nitrogen oxides at this stage and on the actual limits to be set. On the general control of emissions on a national basis, there is general acceptance of a two-stage approach, but the United Kingdom wishes to extend the second date from 1998 as proposed by the Presidency to 2005, Spain is unwilling to commit itself to reductions and other Member States have particular problems relating to the type of fuel they use.

Commissioner Clinton Davis found the final declaration an inadequate response to the problem. He told the Council that it was not sufficient to guarantee that the May 21 meeting would reach decisions. In fact, he said, in the last few meetings of the working group not a single move had been made to achieve progress.

4. Import and export of dangerous chemicals: Discussion of this Commission proposal was unexpectedly constructive. The Commission has argued for adoption of the principle of prior informed consent, which would allow an importing country the opportunity to refuse certain dangerous chemicals on the basis of information provided before export from the Community. The Council made a declaration stressing the importance it attaches to the control of dangerous chemicals exported to third countries with a view to reaching a decision in May on the basis of prior notification, while at the same time encouraging Member States to operate a system of prior informed consent on a voluntary basis.

Regards,

A handwritten signature in black ink, appearing to read 'H. Paemen', written in a cursive style.

H. PAEMEN

13 February 1987

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NOTE BIO (87) 41 AUX BUREAUX NATIONAUX
CC AUX MEMBRES DU SERVICE DU PORTE-PAROLE

INFORMAL ENVIRONMENT COUNCIL - FEBRUARY 13 1987 (M. Berendt)

Today's Informal Environment Council in Brussels was designed primarily to prepare the ground for the formal meeting of March 19/20. The Presidency put special emphasis on the need for progress on problems of air pollution.

There was some movement on the reduction of the sulphur content of gas oil, which now seems ripe for adoption at the next Council. The Spanish retain a scrutiny reserve on a formula which would include a declaration assuring exporters of the possibility of selling gas oil at 0.3% sulphur, even though it would need to be processed or mixed for use in zones applying a 0.2% norm. The reduction from the present levels of 0.5% and 0.3% would take effect from January 1 1989. There was less movement in achieving a Community agreement on large combustion plant.

Negotiations resume in Geneva on February 23-27 for the control of CFCs, which are believed to damage the ozone layer. The Commission will be negotiating at this meeting and there was general agreement among Ministers on the need for a Community position, although France, Spain and the United Kingdom were reluctant to give a detailed mandate for negotiating an actual reduction in CFC production levels.

The Dutch delegation raised the question of prior notification and consent for the export of dangerous substances such as pesticides which are subject to strict controls within the Community but may be sold without restriction on export markets. Although most Member States are reluctant to accept the principle of prior consent, which would allow the importing country the opportunity to refuse or limit any planned sales, the question is now likely to be raised at the formal Council in March. The Commission put forward a formal proposal to the Council providing for prior notification and consent during the summer of the 1986.

Commissioner Clinton Davis delivered a letter to each Minister during the course of the meeting which set out the individual country's infringements of Community environment law. He emphasized the importance to the Community during the European Year of the Environment to improve the implementation of EEC environment legislation. Each national list sets out specific infringements where the Commission has decided to open procedures.

Regards,


H. Paemen