

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

10042/87 (Presse 206)

1205th meeting of the Council

- Environment -

Brussels, 3 December 1987

President: Christian CHRISTENSEN

Minister for the Environment
and for Nordic Affairs
of the Kingdom of Denmark.

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 Klaus TOEPFER Federal Minister for the Environment, Nature Conservation and Reactor Safety

Greece:

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

Spain:

Mr Javier SAENZ COSCULLUELA Minister for the 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 Dennis O'LEARY Deputy Permanent Representative

Italy:

Mr Giorgio RUFFOLO Minister for the Environment

Luxembourg:

Mr Robert KRIEPS

Minister for the Environment

Netherlands:

Mr E.H.T.M. NIJPELS

Minister for Housing,
Planning and the Environment

Portugal:

Mr Luis VALENTE DE OLIVEIRA

Minister for Planning and
Territorial Administration

United Kingdom:

Lord BELSTEAD

Minister of State,
Department of the Environment

Commission:

Mr Stanley CLINTON-DAVIS

Member

COMMUNITY ACTION PROGRAMME TO COMBAT ENVIRONMENTAL POLLUTION
BY CADMIUM

The Council (1) approved the Resolution concerning a Community action programme to combat environmental pollution by cadmium, which is attached in Annex I.

At the same time, the Council invited the Commission to submit proposals for Community rules concerning a source-oriented approach to pollution by other heavy metals, to be combined, if necessary, with action programmes on the lines of this programme.

(1) The UK has maintained a parliamentary scrutiny reserve.

COMMUNITY INFORMATION SYSTEM FOR THE CONTROL AND REDUCTION OF
POLLUTION CAUSED BY THE SPILLAGE OF HYDROCARBONS AND OTHER HARMFUL
SUBSTANCES AT SEA

While awaiting the opinion of the European Parliament, the Council arrived at a considerable measure of agreement on the draft Decision which is intended to extend to inland waters the scope of Decision 86/85 (Community information system for the control and reduction of pollution caused by the spillage of hydrocarbons and other harmful substances at sea). This proposal constitutes a first reaction to the accidental pollution of the Rhine near Bâle in November 1976.

The Council invited the Committee of Permanent Representatives to resubmit the matter for final adoption once the European Parliament has given its opinion.

LIMIT VALUES AND QUALITY OBJECTIVES (HCCB/HCBD)

While awaiting the opinion of the European Parliament, the Council expressed a favourable position on the proposed Directive amending Annex II of Directive 86/280 on limit values and quality objectives for discharges of certain dangerous substances included in List I of the Annex to Directive 76/464.

The purpose of the proposal is to lay down limit values and quality objectives for two List I substances : hexachlorobenzene (HCB) and hexachlorobutadine (HCBD).

The Council invited the Committee of Permanent Representatives to resubmit the proposal to it with a view to the adoption of the Directive as soon as possible and in the light of the opinion of the European Parliament.

MOTOR VEHICLE POLLUTION

The Council adopted two Directives concerning measures to be taken with regard to:

- air pollution by gases from positive ignition engines of motor vehicles (private cars) (1)
- emission of gaseous pollutants from diesel engines for use in heavy goods vehicles. (1)

The Council then reached a common position, by qualified majority, to be transmitted to the European Parliament, on measures to be taken against air pollution by particulate emissions from diesel engines of private cars. The draft Directive provides for :

- First stage : (from 1.10.1989 for new types ;
from 1.10.1990 for all new vehicles)

limit value of 1.1 g/test.

- Second stage : The Council considered that a second stage in the reduction of particulate emissions must be implemented as quickly as possible and that a level of 0.8 g/test should be achieved, taking into account the technical/economic possibilities which exist at that time.

Before the end of 1989 the Council will decide, on the basis of a proposal from the Commission, on the implementation of the second stage.

- (1) For details of these measures, see Press Communication
- Environment Council - 21 July 1987 (7833/87 Presse 135).

EXPORT/IMPORT OF CERTAIN DANGEROUS CHEMICALS

The Council reached agreement (1) on the Regulation concerning export from and import into the Community of certain dangerous chemicals. This Regulation will establish a common system of notification and information covering those chemicals which are banned or severely restricted on account of their effects on human health and the environment.

The approval of this instrument constitutes an important additional measure at Community level for the protection especially of developing countries.

At the same time the Council agreed on the text of a Resolution inviting the Commission to examine in greater detail, and if appropriate, to make proposals concerning the system of "prior informed consent" of the country importing the dangerous chemicals. This system is currently operated in certain Member States.

(1) The UK has maintained a parliamentary scrutiny reserve.

LARGE COMBUSTION PLANTS

The Council held further detailed discussion on the draft Directive on the limitation of emissions of pollutants into the air from large combustion plants. The basis of the Council's debate were draft guidelines for further work drawn up by the Presidency, guidelines which broadly cover targets and dates for reducing overall pollution from SO₂ and NO_x, as well as standards for new plant.

At the end of its discussion, the Council invited the Committee of Permanent Representatives to pursue work on this basis with a view to reaching final agreement in the coming months.

PROGRAMME ON EMPLOYMENT CREATION IN THE ENVIRONMENTAL FIELD

The Council held a first discussion on the draft Decision for a 5-year Community programme of demonstration projects illustrating how actions in the environmental field can also contribute to employment creation.

The Council noted that a majority of delegations were generally favourably disposed to the proposal, but that others continued to express concerns about it. Finally, the Committee of Permanent Representatives was invited to pursue its work with a view to finding an acceptable solution which would enable action in this area to be implemented.

CHROMIUM

The Council examined the draft Directive on water quality for chromium. This is the first proposal submitted by the Commission on a List II (less dangerous) substance in the framework of Directive 76/464 on pollution caused by certain dangerous substances discharged into the aquatic environment.

The debate allowed progress to be made, and the Committee of Permanent Representatives was asked to deal with the remaining questions as a matter of priority in order to allow early agreement on the proposal.

The Council also noted that the Commission is preparing a revised proposal on this subject in the light of the opinion of the European Parliament.

DUMPING OF WASTE AT SEA

The Council had an exchange of views on the environmental problems created by dumping and incineration of waste at sea. In the course of this exchange of views, the Council welcomed especially the significant progress made at the Conference on the protection of the North Sea in London on 24 and 25 November 1987.

In this connection, the Council recalled the priority accorded by the Community and the Member States (1) to the need to combat fresh water and marine pollution from specific or diffused sources.

The Council expects to pursue Community action in this field on the basis of appropriate proposals of the Commission, noting that certain proposals have already been submitted to the Council. Unnecessary duplication of work with international organisations will be avoided.

(1) Resolution of 19 October 1987 on the continuation and implementation of a European Community policy and action programme on the Environment (1987/1992).

OTHER DECISIONS

General Preferences - Textiles

The Council adopted the 1988 Generalized Preferences Scheme (GSP) for textile products.

For products covered by the MFA, the new scheme represents a major change to the earlier scheme, which had kept the structure agreed in 1980 and was based on 1977 trade patterns.

The Council has altered the method of calculating the preferential offer, which will henceforward be fixed at 0,2% of 1985 Community imports in the case of dominant countries or State-trading countries (South Korea, Macao, Hong Kong, China and Rumania) and at 1% in the case of the other beneficiaries: in so doing, the Community widens the preferential opportunities for medium and small exporters.

The Council also decided to institute in the textiles sector a pronounced differentiation with regard to highly competitive suppliers, in parallel with the approach already adopted in the industrial sector. This will involve certain countries which have reached a certain overall level of development and attained at least 10% of Community imports in a specific category averaged over 3 years (1983, 1984, 1985). This will affect several categories of textile and clothing products from Brazil, Korea, Hong Kong, Macao, Rumania and China in 1988. However, the exclusion arrangements have been relaxed in the case of China and Macao.

To soften their impact, the substantial changes introduced under the new scheme will be spread over two years for all beneficiaries and not fully implemented until 1989.

The texts adopted by the Council as well as those texts on industrial, agricultural and steel products, already adopted on 17 November last, will be published in the Official Journal as soon as possible in December.

Anti-dumping

The Council adopted, in the languages of the Communities, the Regulation imposing a definitive anti-dumping duty of 59 ECU/tonne on imports of ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff, corresponding to NIMEXE code 73.02-30, originating in Brazil.

COUNCIL RESOLUTION CONCERNING AN ACTION PROGRAMME TO COMBAT ENVIRONMENTAL POLLUTION BY CADMIUM

THE COUNCIL,

CONSIDERS that, without prejudice and in addition to national and Community action already taken in this field, new action should be taken at Community level to combat and reduce cadmium pollution, in order to increase the protection of human health and the environment,

CONSIDERS that it may be necessary in certain areas further to intensify efforts to measure and monitor the presence of cadmium in the environment, for example in the soil,

INVITES the Commission, in consultation with Member States, to continue its examination, in the light of scientific and technical studies, of the extent and relative importance of the sources of human and environmental contamination from cadmium and to submit to the Council a report thereon,

WELCOMES the initiative of the Commission proposing an action programme as an additional step forward to control environmental pollution by cadmium and agrees that such control should be pursued through an integrated approach taking into account all the various sources of cadmium pollution, including diffuse sources,

INVITES the Commission to pursue without delay the development of specific measures of the kind identified in the action programme, taking into account relevant Community provisions,

STRESSES that, in the light of the result of scientific and technical studies, the major elements of the strategy for cadmium control in the interests of the protection of human health and the environment should be the following :

- limitation of the uses of cadmium to cases where suitable alternatives do not exist,

- stimulation of research and development :
 - = of substitutes and technological derivatives, in particular, encouragement to the development of further alternatives to the use of cadmium in pigments, stabilisers and plating ;
 - = related to the cadmium content of the raw materials used for the production of phosphate fertilizers ;
 - = of varieties of tobacco and food plants with a lower cadmium content,

- collection and recycling of products containing cadmium, for example batteries,

- development of a strategy designed to reduce cadmium input in soil, for example by appropriate control measures for the cadmium content of phosphate fertilizers based on suitable technology not entailing excessive costs, taking into account environmental conditions in the different regions of the Community,

- combating significant sources of airborne and water pollution.

Brussels, 2 December 1987

NOTE BIO (87) 331 AUX BUREAUX NATIONAUX
CC: AUX MEMBRES DU SERVICE PORTE-PAROLE

433

Preparation Environment Council, December 3 1987 (M. Berendt)

1. Motor vehicle exhausts

The long-awaited decisions on vehicle emissions should be adopted by the Environment Council on Thursday on the basis of Article 100A of the revised Treaty, probably by a qualified majority vote. The major negotiations on motor car exhausts took place in 1985, but were blocked by reserves from Denmark and Greece. For lorries and coaches the process followed the same course. A common position was agreed on both issues by a qualified majority vote in July 1987 and broadly accepted by the European Parliament in its November session.

The proposed directive for private cars will set stricter standards according to a timetable which begins on October 1 1988 for new motor vehicle models of 2 litres or over. New models of medium sized cars will be subject to stricter rules as from October 1991 and a first stage cleaning up for models of less than 1.4 litres in October 1990. Second stage standards for small cars will be proposed by the Commission before the end of this year. The detailed timetable is as follows:

Category of vehicles	Dates of Implementation (new models/new cars)	Emission norms (grammes/test)
More than 2 litres	1.10.1988/1989	CO25:HC+NOx:6.5 NOx:3.5
1.4 - 2 litres	1.10.1991/1993	CO30:HC+NOx:8
Less than 1.4 litres	A) 1.10.1990/1991 B) The European standard and the date of its implementation will be decided in 1987 and the date of implementation will not be later than 1992/1993.	CO45:HC+NOx:15 NOx:6

The directive setting emission standards for lorries and coaches should also be adopted, to come into effect from April 1 1988 for all new models and October 1 1990 for all new vehicles. No Community standards currently exist for heavy vehicles.

The Council may decide to vote on Community standards for diesel particulates from private cars with diesel engines, so adopting a common position as defined under Article 100A. This would be on the basis of 1.1g per test for new models and 1.4g per test for all production line cars, but stricter proposals submitted by the Germany government have introduced a new factor in the discussions.

2. Large combustion plant

Little progress is expected on this dossier, which provides for a reduction of 60 per cent in SO₂ from power stations and other combustion plant over 50MW between 1980 and 1995, a corresponding cut of 40 per cent in NO_x and dust and the setting of stricter standards for all new plant constructed after 1987. The Presidency has proposed a third stage cut in the global emissions, achieving, say, an 80 per cent reduction in SO₂ by 2010. This date is too distant in the view of the Commission and some other delegations, although may offer some room for negotiation. The Commission cannot accept proposals to remove plant of between 50 and 100MW from the scope of the rules for new plant, as this would exclude installations such as brickworks which should be subject to the legislation.

3. Export of dangerous substances

The Council is expected to agree a Community policy for prior notification on the export of dangerous substances, but not the Commission's proposal for prior informed choice, under which an importing country would have the opportunity within 60 days of notification to accept or refuse to allow the substance to be shipped. It is the Commission's view, as expressed by Mr Stanley Clinton Davis, that the Community should not allow the uncontrolled export of substances such as pesticides which are banned or strictly controlled within the Community.

The Council may adopt a resolution noting the Commission's intention to take part in UNEP work on prior informed choice.

4. Dangerous substances in water

The Council will be considering detailed emission limits for two substances which are on the blacklist of the directive of dangerous substances in water: hexachlorobenzene and hexachlorobutadiene. There is some possibility of a Council decision. On chrome, which is a grey list substance (ie regarded as less dangerous) there are also detailed proposals which may run into opposition from the UK.

5. Other points

A programme for reducing the presence of cadmium in the environment is expected to pass as an A point. Commission proposals for creating jobs through a series of pilot projects in the environment field has been running into more difficulty, especially over budgetary questions. The Commission has proposed a programme of 33m ECU over three years.

Regards

10 

C.D. Ehlermann

4 December 1987

NOTE BIO (87) 331 suite 1 et fin AUX BUREAUX NATIONAUX
CC: AUX MEMBRES DU SERVICE DU PORTE-PAROLE

Environment Council, 3 December 1987 (M. Berendt)

The Council formally adopted the two directives on motor vehicle emissions, agreeing the standards for type approval of private cars and of lorries and coaches. For private cars this completes the negotiating process which had been suspended for two years before the Council agreed a common position under the Single European Act in July. Ministers also agreed a common position on diesel particulates from private cars, which will be an additional requirement for diesel engined vehicles when the new motor vehicle emission standards come into effect. The diesel particulate proposals now go to the European Parliament for second reading before returning to the Council for final adoption.

Greece and Denmark voted against the diesel proposals, as they had against the two major directives. The Danish delegation repeated its view that the emission standards were not sufficiently strict and maintained the right for a government to take stricter measures under Article 100A. Any Danish action of this kind would of course be subject to the safeguard provisions of the Single European Act - the Commission would have to assess any such move and the European Court would, if necessary, make a final judgement.

The Commission dissociated itself from the Council decision of the export of dangerous chemicals. Ministers adopted by unanimity a regulation providing for prior notification of exports of those chemicals (mainly pesticides) which are banned or strictly controlled within the Community. This will come into effect 12 months after publication and will lay down that exporting countries should inform the government in the country of destination when such substances are to be exported to them for the first time.

Commissioner Clinton Davis vigorously protested against this decision, pressing for inclusion of the principle of prior informed choice (P.I.C.), which gives the importing country 60 days after notification to refuse or accept the shipment. It was a total abdication of responsibility, he said. A Commission declaration that P.I.C. was the only acceptable basis for Community legislation was supported in principle by Italy, Netherlands and Greece, although all three accepted the presidency compromise. The final text provides in the "considerants" a statement that the Commission would report before 1990 and thereafter every two years, and that the Council would consider before July 1 1990 the possibility of introducing the principle of prior informed choice.

The other firm decisions to be taken in the Council concerned quality objectives and limit values for two blacklist substances, HCB and HCBs, and a general resolution on reducing cadmium in the environment. No decisions were taken on chrome.

The other issues on the agenda were referred to future Councils. These included large combustion plant, dumping and burning of waste at sea and where a working group will look at the desirability of Community legislation after the North Sea Conference (the UK opposed Community action in this field). Also deferred were the Commission's proposals for aid to environment-related employment creation and an extension of the hydro-carbons information system to major inland waterways.

Regards,

 C. Stathopoulos