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Subject:	A Clean Air Programme for Europe a) Proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants b) Proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC - Orientation debate = Comments from delegations

Delegations will find in Annex comments from the Czech Republic with a view to the above-mentioned debate in Council.

CZECH REPUBLIC**Proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants**

Air protection is a crucial topic for the Czech Republic, above all due to its direct impact on human health. For that reason, we support regulation of medium combustion plants as such and we appreciate amendments proposed by the Presidency to the Commission's proposal. Nevertheless, we have certain reservations to the proposed emission limit values. The Czech Republic is of the opinion that the impact assessment presented by the Commission does not reflect the fact that some Member States have already been regulating emissions from medium combustion plants on national level. Emission limit values, which have been in place for long in the Czech Republic for this type of combustion plants, have even been tightened in 2012. New Czech national emission limit values will come to force in 2018 and it is therefore crucial for us to agree on a Directive that will not devalue already realized, or planned, investments. We are currently working on our own detailed impact assessment of the proposal.

The Czech Republic does not support the proposal by some Member States to limit the Directive in scope. On the contrary we would be willing to accept a broader scope, i.e. Directive applying also to emission sources not covered by the Eco-design Directive.

However, we have reservations on the proposed setting of common limit values for the entire category of 1-50 MW. Our opinion is that the proposed scope of 1-50 MW should be broken into several categories. For example, the Czech legislation sets three categories based on input: 0.3-1 MW, 1-5 MW and 5-50 MW, determined by the total rated thermal input. Another possible boundary between categories is 20 MW. We believe that some division of the 1-50 MW category, as well as related changes in limit values, will be necessary and we are of course ready to discuss the possibilities.

The Czech Republic is of the opinion that emission limit values for plants burning solid fuels, which may have serious impact on the environment, could come into force earlier than in 2025 or 2030. On the other hand, setting any emission limit values is questionable in the cases of some types of environmentally-sound fuels with guaranteed quality and negligible emissions. The Directive should also take into account alternative approaches to emission controls in the cases of plants with lower input, e.g. specific demands on quality of fuel. Such alternative approaches often represent a more efficient and less costly solution, with no costs for emissions measurement.

The Czech Republic would like to stress that emission limit values must respect the energy policy of individual Member States, which must not be influenced by unreachable emission limit values or disproportionate costs of their fulfilment for some fuel type which the national energy policy relies on. Some proposed emission limit values are very strict, they do not take into account the quality of domestic fuels or if fulfilled would lead to disproportionate costs. But it is precisely the use of domestic fuels that gives the Member States certain degree of independence on fuels imported from less stable regions. The Czech Republic considers the security of supplies of electricity and sources of heat as a top priority.

We would like to reiterate our earlier comment in relation to the exception from the obligation to put a plant out of operation in case that this might threaten human health due to an interruption of heat supply. Most of the plants serve precisely to supply population with heat. The same remark applies to the requirement to restrict operation. We are prepared to work with the Presidency to fine-tune the way in which our comment can be reflected in the proposal.

We do not support the concept of benchmarks, which are to apply in the areas where air quality limit values are exceeded. We request that this concept be omitted from the proposal even if the Member States were not obliged to use it. If the emission sources in question had a serious impact on the air quality, we would prefer to find an individual solution, not one-size-fits-all. A possible solution could lie in air quality programmes as defined in the Air Quality Directive, which include measures for air quality limit values for areas in which they are exceeded. Competent authorities also have a possibility to set specific conditions for operation with respect to local conditions and the contribution of the source to the exceeding of air quality limit values. We consider these tools adequate.

Proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC

Regarding the proposal for the Directive on the reduction of national emissions, the Czech Republic essentially agrees to set national emission reduction commitments for pollutants as a means to achieving the environmental goals of reducing impacts of air pollution. We welcome the setting of emission ceilings for 2020 at the level of Annex II of the revised Gothenburg Protocol and we also believe that it is an appropriate time to set further targets, ideally for the year 2030. Such long-term projections will always be accompanied by a lot of uncertainty. The uncertainty should be adequately addressed in negotiations, with particular emphasis on energy security and possible deviations from the actual development activity data from the values currently used for emission projections.

Another issue is the use of the principle of cost optimization to achieve an overall reduction of emissions as the basic mechanism for the distribution of efforts among individual Member States. We fear that limiting ourselves to this principle would mean an unacceptably unequal approach, which would place increased demands on some Member States.

The Czech Republic agrees that it is necessary to tackle the problem of ammonia emissions from the agricultural sector, whether on the grounds that its emissions are not decreasing as substantially as emissions of other substances, or due to the relatively low cost of their reduction. However, it is necessary to take into account considerable differences between the Member States and also different and time-varying volumes of agricultural production. The requirement to reduce emissions must not lead to pressure on reducing number of livestock below acceptable level. With regard to the agricultural sector the Czech Republic does not support the inclusion of methane on the list of pollutants.

The Czech Republic also continues to object to the possibility of inclusion of the emission reduction in maritime transport, mainly due to its difficult verification.