



Council of the
European Union

067783/EU XXV. GP
Eingelangt am 03/06/15

Brussels, 3 June 2015
(OR. en)

9283/1/15
REV 1 ADD 1

ENV 365
ENER 222
IND 89
TRANS 180
ENT 98

"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	8460/15 ENV 254 ENER 131 IND 64 TRANS 150 ENT 73 + ADD 1
Subject:	Commission Directive (EU) .../... of XXX amending several annexes to Directives 2004/107/EC and 2008/50/EC laying down the rules concerning reference methods, data validation and location of sampling points for the assessment of ambient air quality - Decision not to oppose adoption

STATEMENT BY GERMANY

Further improving air quality is an important issue for the Federal Republic of Germany. Therefore, in the current negotiating process, Germany is actively advocating the inclusion of stringent provisions in the legislative proposals in the European Commission's Clean Air Policy Package of December 2013.

Independent of this, in the competent Commission committee Germany rejected the proposed amendments to Annexes to Directives 2004/107/EC and 2008/50/EC for several reasons.

The suggested amendments are aimed at achieving certain clarifications and updating reference methods. In Germany's opinion, there is no pressing need for these amendments as the provisions have been in place for up to fifteen years. It would be more appropriate to implement the proposed amendments in national law in the context of the transposition of the proposed Directive on the reduction of national emissions of certain atmospheric pollutants, which is currently being discussed at EU level. In addition, the proposed amendment regarding the function of national reference laboratories, i.e. the shift from laboratories being involved in coordination to being responsible for coordination, raises constitutional problems in Germany. In Germany, according to the division of competences laid down in the Basic Law, monitoring air quality is the responsibility of the Länder. Thus, national reference laboratories holding responsibility as opposed to Länder authorities is not provided for.
