

Commission Implementing Decision of 12 December 2011 laying down rules for Directives 2004/107/EC and 2008/50/EC of the European Parliament and of the Council as regards the reciprocal exchange of information and reporting on ambient air quality (notified under document C(2011) 9068) (2011/850/EU)

CHAPTER III

MAKING AVAILABLE MEMBER STATES' INFORMATION ON AMBIENT AIR QUALITY

Article 6

Zones and agglomerations

1 In accordance with the procedure referred to in Article 5 of this Decision, Member States shall make available the information set out in Part B of Annex II to this Decision on the delimitation and type of zones and agglomerations established in accordance with Article 3 of Directive 2004/107/EC and Article 4 of Directive 2008/50/EC and in which the assessment and management of air quality is to be carried out in the following calendar year.

For zones and agglomerations to which an exemption or a postponement applies pursuant to Article 22 of Directive 2008/50/EC, the information made available shall include an indication thereof.

2 Member States shall make the information referred to in paragraph 1 available to the Commission no later than 31 December of each calendar year. Member States may indicate that there have been no changes to the information previously made available.

3 Where changes are made to the delimitation and type of zones and agglomerations, the Member States shall inform the Commission thereof no later than 9 months after the end of the calendar year the changes were made.

Article 7

Assessment regime

1 In accordance with the procedure referred to in Article 5 of this Decision, Member States shall make available the information set out in Part C of Annex II on the assessment regime to be applied in the following calendar year for each pollutant within individual zones and agglomerations in accordance with Article 4 of Directive 2004/107/EC and Articles 5 and 9 of Directive 2008/50/EC.

2 Member States shall make the information referred to in paragraph 1 available to the Commission no later than 31 December of each calendar year. Member States may indicate that there have been no changes to the information previously made available.

Article 8

Methods for the demonstration and subtraction of exceedances attributable to natural sources or to winter-sanding or -salting

1 In accordance with the procedure referred to in Article 5 of this Decision, Member States shall make available the information set out in Part D of Annex II on the methods used for the demonstration and subtraction of exceedances attributable to natural sources or to winter-sanding or -salting applied within individual zones and agglomerations according to Articles 20 and 21 of Directive 2008/50/EC.

2 Member States shall make the information referred to in paragraph 1 available to the Commission for a full calendar year no later than 9 months after the end of each calendar year.

Article 9

Assessment methods

1 In accordance with the procedure referred to in Article 5 of this Decision, Member States shall make available the information set out in Part D of Annex II on the quality and traceability of the assessment methods applied.

2 Member States shall make the information referred to in paragraph 1 available to the Commission for a full calendar year no later than 9 months after the end of each calendar year.

3 Where in a particular zone or agglomeration fixed measurement is mandatory according to Article 4 of Directive 2004/107/EC and Articles 6 and 9 and Article 10(6) of Directive 2008/50/EC, the information shall include at least the following:

- a the measurement configuration;
- b the demonstration of equivalence where a non-reference method is used;
- c the sampling point location, its description and classification;
- d the documentation of data quality.

4 Where in a particular zone or agglomeration indicative measurement is applied in accordance with Article 4 of Directive 2004/107/EC and Articles 6 and 9 and Article 10(6) of Directive 2008/50/EC, the information shall include at least the following:

- a the measurement method applied;
- b the sampling points and the coverage area;
- c the validation method;
- d the documentation of data quality.

5 Where in a particular zone or agglomeration modelling techniques are applied in accordance with Article 4 of Directive 2004/107/EC and Articles 6 and 9 of Directive 2008/50/EC, the information shall include at least the following:

- a the description of the modelling system and its inputs;
- b the model validation through measurements;
- c the coverage area;
- d the documentation of data quality.

6 Where in a particular zone or agglomeration objective estimation is applied in accordance with Article 4 of Directive 2004/107/EC and Articles 6 and 9 of Directive 2008/50/EC, the information shall include at least the following:

- a the description of the estimation method;
- b the documentation of data quality.

7 Member States shall also make available the information set out in Part D of Annex II on the quality and traceability of the assessment methods applied, for the networks and stations selected by the Member States for the purpose of the reciprocal exchange of information as referred to in point (b) of Article 1 for the pollutants listed in Part B of Annex I and where available for the additional pollutants listed in Part C of Annex I and for the additional pollutants listed on the portal for that purpose. Paragraphs 1 to 6 of this Article shall apply to the exchanged information.

Article 10

Primary validated assessment data and primary up-to-date assessment data

1 In accordance with the procedure referred to in Article 5 of this Decision, Member States shall make available the information set out in Part E of Annex II on primary validated assessment data for all sampling points where measurement data is collected for the purpose of the assessment as indicated by Member States according to Article 9 for the pollutants listed in Parts B and C of Annex I.

Where in a particular zone or agglomeration modelling techniques are applied, Member States shall make available the information set out in Part E of Annex II at the highest time resolution available.

2 The primary validated assessment data shall be made available to the Commission for a full calendar year as complete time series no later than 9 months after the end of each calendar year.

3 Member States shall, where they make use of the possibility provided for in Articles 20(2) and 21(3) of Directive 2008/50/EC, make available information on the quantification of the contribution from natural sources pursuant to Article 20(1) of Directive 2008/50/EC or from the winter-sanding or -salting of roads pursuant to Article 21(1) and (2) of Directive 2008/50/EC.

The information shall include:

- a the spatial extent of the subtraction;
- b the quantity of the primary validated assessment data made available according to paragraph 1 of this Article that can be attributed to natural sources or winter-sanding or -salting;
- c the results of the application of the methods reported according to Article 8.

4 Member States shall also make available the information set out in Part E of Annex II on primary up-to-date assessment data for the networks and stations selected by the Member States for the specific purpose of making available up-to-date information amongst the networks and stations selected by the Member States for the purpose of the reciprocal exchange of information as referred to in point (b) of Article 1 for the pollutants listed in Part B of Annex I and where available for the additional pollutants listed in Part C of Annex I and for the additional pollutants listed on the portal for that purpose.

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5 Member States shall also make available the information set out in Part E of Annex II on primary validated assessment data for the networks and stations selected by the Member States for the purpose of the reciprocal exchange of information as referred to in point (b) of Article 1 for the pollutants listed in Part B of Annex I and where available for the additional pollutants listed in Part C of Annex I and for the additional pollutants listed on the portal for that purpose. Paragraphs 2 and 3 of this Article shall apply to the exchanged information.

6 The primary up-to-date assessment data pursuant to paragraph 4 shall be made available to the Commission on a provisional basis with the frequency appropriate to each pollutant assessment method and within a reasonable timeframe after the data has been made available to the public according to Article 26 of Directive 2008/50/EC, for the pollutants specified for that purpose in Part B of Annex I to this Decision.

The information shall include:

- a assessed concentration levels;
- b a status indication on the quality control.

7 The primary up-to-date information made available pursuant to paragraph 4 shall be coherent with the information made available pursuant to Articles 6, 7 and 9.

8 Member States may update the primary up-to-date assessment data made available pursuant to paragraph 4 following further quality control. The updated information shall replace the original information and its status shall be clearly indicated.

Article 11

Aggregated validated assessment data

1 The tool referred to in Article 5(1) shall generate the information set out in Part F of Annex II on aggregated validated assessment data, on the basis of the information made available by Member States on primary validated assessment data according to Article 10.

2 For pollutants with mandatory monitoring requirements, the information generated by the tool shall consist of aggregated measured concentration levels for all sampling points on which the Member States shall make information available pursuant to Article 9(3)(c).

3 For pollutants with defined environmental objectives, the information generated by the tool shall consist of the concentration levels expressed in the metric associated with the defined environmental objective set out in Part B of Annex I and shall include:

- a the annual average, where an annual average target or limit value is defined;
- b the total hours in exceedance where an hourly limit value is defined;
- c the total days in exceedance where a daily limit value is defined, or the percentile 90,4 for PM₁₀ in the particular case when random measurements are applied instead of continuous measurements;
- d the total days in exceedance where a maximum daily eight-hour mean target or limit value is defined;
- e the AOT40 as defined in Part A of Annex VII to Directive 2008/50/EC in case of the ozone target value for the protection of vegetation;
- f the Average Exposure Indicator in case of the PM_{2,5} exposure reduction target and the exposure concentration obligation.

Article 12

Attainment of environmental objectives

1 In accordance with the procedure referred to in Article 5 of this Decision, Member States shall make available the information set out in Part G of Annex II on the attainment of environmental objectives set by Directives 2004/107/EC and 2008/50/EC.

2 The information referred to in paragraph 1 shall be made available to the Commission for a full calendar year no later than 9 months after the end of each calendar year.

The information shall include the following:

- a a declaration of attainment of all environmental objectives in each specific zone or agglomeration, including information on the exceedance of any applicable margin of tolerance;
- b where relevant, a declaration that the exceedance in the zone is attributable to natural sources;
- c where relevant, a declaration that the exceedance of a PM₁₀ air quality objective in the zone or agglomeration is due to the re-suspension of particulate matter following the winter-sanding or -salting of roads;
- d information on the attainment of the PM_{2,5} exposure concentration obligation.

3 Where an exceedance has occurred, the information made available shall also include information on the area of exceedance and the number of people exposed.

4 The information made available shall be coherent with the zone delimitation made available pursuant to Article 6 for the same calendar year and the aggregated validated assessment data made available pursuant to Article 11.

Article 13

Air quality plans

1 In accordance with the procedure referred to in Article 5 of this Decision, Member States shall make available the information set out in Parts H, I, J and K of Annex II to this Decision on air quality plans as required by Article 23 of Directive 2008/50/EC including:

- a the mandatory elements of the air quality plan as listed pursuant to Article 23 of Directive 2008/50/EC in Section A of Annex XV to Directive 2008/50/EC;
- b references to where the public can have access to regularly updated information on the implementation of the air quality plans.

2 The information shall be made available to the Commission without delay, and no later than 2 years after the end of the calendar year in which the first exceedance was observed.

Article 14

Measures to comply with the target values of Directive 2004/107/EC

1 In accordance with the procedure referred to in Article 5 of this Decision, Member States shall make available the information set out in Part K of Annex II to this Decision on

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measures taken to comply with the target values as required pursuant to Article 5(2) of Directive 2004/107/EC.

2 The information shall be made available to the Commission no later than 2 years after the end of the year in which the exceedance triggering the measure was observed.