

Directive 2008/50/EC of the European Parliament and of the Council
of 21 May 2008 on ambient air quality and cleaner air for Europe

CHAPTER III

AMBIENT AIR QUALITY MANAGEMENT

Article 12

Requirements where levels are lower than the limit values

In zones and agglomerations where the levels of sulphur dioxide, nitrogen dioxide, PM₁₀, PM_{2,5}, lead, benzene and carbon monoxide in ambient air are below the respective limit values specified in Annexes XI and XIV, Member States shall maintain the levels of those pollutants below the limit values and shall endeavour to preserve the best ambient air quality, compatible with sustainable development.

Article 13

Limit values and alert thresholds for the protection of human health

1 Member States shall ensure that, throughout their zones and agglomerations, levels of sulphur dioxide, PM₁₀, lead, and carbon monoxide in ambient air do not exceed the limit values laid down in Annex XI.

In respect of nitrogen dioxide and benzene, the limit values specified in Annex XI may not be exceeded from the dates specified therein.

Compliance with these requirements shall be assessed in accordance with Annex III.

The margins of tolerance laid down in Annex XI shall apply in accordance with Article 22(3) and Article 23(1).

2 The alert thresholds for concentrations of sulphur dioxide and nitrogen dioxide in ambient air shall be those laid down in Section A of Annex XII.

Article 14

Critical levels

1 Member States shall ensure compliance with the critical levels specified in Annex XIII as assessed in accordance with Section A of Annex III.

2 Where fixed measurements are the sole source of information for assessing air quality, the number of sampling points shall not be less than the minimum number specified in Section C of Annex V. Where that information is supplemented by indicative measurements or modelling, the minimum number of sampling points may be reduced by up to 50 % so long as the assessed concentrations of the relevant pollutant can be established in accordance with the data quality objectives specified in Section A of Annex I.

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Article 15

National PM_{2,5} exposure reduction target for the protection of human health

- 1 Member States shall take all necessary measures not entailing disproportionate costs to reduce exposure to PM_{2,5} with a view to attaining the national exposure reduction target laid down in Section B of Annex XIV by the year specified therein.
- 2 Member States shall ensure that the average exposure indicator for the year 2015 established in accordance with Section A of Annex XIV does not exceed the exposure concentration obligation laid down in Section C of that Annex.
- 3 The average exposure indicator for PM_{2,5} shall be assessed in accordance with Section A of Annex XIV.
- 4 Each Member State shall, in accordance with Annex III, ensure that the distribution and the number of sampling points on which the average exposure indicator for PM_{2,5} is based reflect the general population exposure adequately. The number of sampling points shall be no less than that determined by application of Section B of Annex V.

Article 16

PM_{2,5} target value and limit value for the protection of human health

- 1 Member States shall take all necessary measures not entailing disproportionate costs to ensure that concentrations of PM_{2,5} in ambient air do not exceed the target value laid down in Section D of Annex XIV as from the date specified therein.
- 2 Member States shall ensure that concentrations of PM_{2,5} in ambient air do not exceed the limit value laid down in Section E of Annex XIV throughout their zones and agglomerations as from the date specified therein. Compliance with this requirement shall be assessed in accordance with Annex III.
- 3 The margin of tolerance laid down in Section E of Annex XIV shall apply in accordance with Article 23(1).

Article 17

Requirements in zones and agglomerations where ozone concentrations exceed the target values and long-term objectives

- 1 Member States shall take all necessary measures not entailing disproportionate costs to ensure that the target values and long-term objectives are attained.
- 2 For zones and agglomerations in which a target value is exceeded, Member States shall ensure that the programme prepared pursuant to Article 6 of Directive 2001/81/EC and, if appropriate, an air quality plan is implemented in order to attain the target values, save where not achievable through measures not entailing disproportionate costs, as from the date specified in Section B of Annex VII to this Directive.
- 3 For zones and agglomerations in which the levels of ozone in ambient air are higher than the long-term objectives but below, or equal to, the target values, Member States shall prepare and implement cost-effective measures with the aim of achieving the long-term

objectives. Those measures shall, at least, be consistent with all the air quality plans and the programme referred to in paragraph 2.

Article 18

Requirements in zones and agglomerations where ozone concentrations meet the long-term objectives

In zones and agglomerations in which ozone levels meet the long-term objectives, Member States shall, in so far as factors including the transboundary nature of ozone pollution and meteorological conditions permit, maintain those levels below the long-term objectives and shall preserve through proportionate measures the best ambient air quality compatible with sustainable development and a high level of environmental and human health protection.

Article 19

Measures required in the event of information or alert thresholds being exceeded

Where the information threshold specified in Annex XII or any of the alert thresholds laid down therein is exceeded, Member States shall take the necessary steps to inform the public by means of radio, television, newspapers or the Internet.

Member States shall also forward to the Commission, on a provisional basis, information concerning the levels recorded and the duration of the periods during which the alert threshold or information threshold was exceeded.

Article 20

Contributions from natural sources

1 Member States shall transmit to the Commission, for a given year, lists of zones and agglomerations where exceedances of limit values for a given pollutant are attributable to natural sources. Member States shall provide information on concentrations and sources and the evidence demonstrating that the exceedances are attributable to natural sources.

2 Where the Commission has been informed of an exceedance attributable to natural sources in accordance with paragraph 1, that exceedance shall not be considered as an exceedance for the purposes of this Directive.

3 The Commission shall by 11 June 2010 publish guidelines for demonstration and subtraction of exceedances attributable to natural sources.

Article 21

Exceedances attributable to winter-sanding or -salting of roads

1 Member States may designate zones or agglomerations within which limit values for PM₁₀ are exceeded in ambient air due to the re-suspension of particulates following winter-sanding or -salting of roads.

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2 Member States shall send the Commission lists of any such zones or agglomerations together with information on concentrations and sources of PM₁₀ therein.

3 When informing the Commission in accordance with Article 27, Member States shall provide the necessary evidence to demonstrate that any exceedances are due to re-suspended particulates and that reasonable measures have been taken to lower the concentrations.

4 Without prejudice to Article 20, in the case of zones and agglomerations referred to in paragraph 1 of this Article, Member States need to establish the air quality plan provided for in Article 23 only in so far as exceedances are attributable to PM₁₀ sources other than winter-sanding or -salting of roads.

5 The Commission shall by 11 June 2010 publish guidelines for determination of contributions from the re-suspension of particulates following winter-sanding or -salting of roads.

Article 22

Postponement of attainment deadlines and exemption from the obligation to apply certain limit values

1 Where, in a given zone or agglomeration, conformity with the limit values for nitrogen dioxide or benzene cannot be achieved by the deadlines specified in Annex XI, a Member State may postpone those deadlines by a maximum of five years for that particular zone or agglomeration, on condition that an air quality plan is established in accordance with Article 23 for the zone or agglomeration to which the postponement would apply; such air quality plan shall be supplemented by the information listed in Section B of Annex XV related to the pollutants concerned and shall demonstrate how conformity will be achieved with the limit values before the new deadline.

2 Where, in a given zone or agglomeration, conformity with the limit values for PM₁₀ as specified in Annex XI cannot be achieved because of site-specific dispersion characteristics, adverse climatic conditions or transboundary contributions, a Member State shall be exempt from the obligation to apply those limit values until 11 June 2011 provided that the conditions laid down in paragraph 1 are fulfilled and that the Member State shows that all appropriate measures have been taken at national, regional and local level to meet the deadlines.

3 Where a Member State applies paragraphs 1 or 2, it shall ensure that the limit value for each pollutant is not exceeded by more than the maximum margin of tolerance specified in Annex XI for each of the pollutants concerned.

4 Member States shall notify the Commission where, in their view, paragraphs 1 or 2 are applicable, and shall communicate the air quality plan referred to in paragraph 1 including all relevant information necessary for the Commission to assess whether or not the relevant conditions are satisfied. In its assessment, the Commission shall take into account estimated effects on ambient air quality in the Member States, at present and in the future, of measures that have been taken by the Member States as well as estimated effects on ambient air quality of current Community measures and planned Community measures to be proposed by the Commission.

Where the Commission has raised no objections within nine months of receipt of that notification, the relevant conditions for the application of paragraphs 1 or 2 shall be deemed to be satisfied.

If objections are raised, the Commission may require Member States to adjust or provide new air quality plans.