

Directive 2000/69/EC of the European Parliament and of the Council of 16 November 2000 relating to limit values for benzene and carbon monoxide in ambient air (repealed)

Article 1

Objectives

The objectives of this Directive shall be:

- (a) to establish limit values for concentrations of benzene and carbon monoxide in ambient air intended to avoid, prevent or reduce harmful effects on human health and the environment as a whole;
- (b) to assess concentrations of benzene and carbon monoxide in ambient air on the basis of common methods and criteria;
- (c) to obtain adequate information on concentrations of benzene and carbon monoxide in ambient air and ensure that it is made available to the public;
- (d) to maintain ambient air quality where it is good and improve it in other cases with respect to benzene and carbon monoxide.

Article 2

Definitions

The definitions in Article 2 of Directive 96/62/EC shall apply.

For the purposes of this Directive:

- (a) ‘upper assessment threshold’ shall mean a level specified in Annex III, below which a combination of measurements and modelling techniques may be used to assess ambient air quality, in accordance with Article 6(3) of Directive 96/62/EC;
- (b) ‘lower assessment threshold’ shall mean a level specified in Annex III, below which modelling or objective estimation techniques alone may be used to assess ambient air quality in accordance with Article 6(4) of Directive 96/62/EC;
- (c) ‘fixed measurements’ shall mean measurements taken in accordance with Article 6(5) of Directive 96/62/EC.

Article 3

Benzene

1 Member States shall take the measures necessary to ensure that concentrations of benzene in ambient air, as assessed in accordance with Article 5, do not exceed the limit value laid down in Annex I according to the dates mentioned therein.

The margin of tolerance laid down in Annex I shall apply in accordance with Article 8 of Directive 96/62/EC.

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2 When the limit value laid down in Annex I is difficult to achieve because of site-specific dispersion characteristics or relevant climatic conditions, such as low windspeed and/or conditions conducive to evaporation, and if the application of the measures were to result in severe socio-economic problems, a Member State may ask the Commission for a time-limited extension. The Commission, acting in accordance with the procedure laid down in Article 12(2) of Directive 96/62/EC, may, at the request of a Member State and without prejudice to Article 8(3) of this Directive, grant one extension for a period of up to five years if the Member State concerned:

- designates the zones and/or agglomerations concerned;
- provides the necessary justification for such an extension;
- demonstrates that all reasonable measures have been taken to lower the concentrations of the pollutants concerned and to minimise the area over which the limit value is exceeded, and
- outlines the future developments with regard to the measures which it will take according to Article 8(3) of Directive 96/62/EC.

The limit value for benzene to be granted during that time-limited extension shall, however, not exceed 10 µg/m³.

Article 4

Carbon monoxide

Member States shall take the measures necessary to ensure that concentrations of carbon monoxide in ambient air, as assessed in accordance with Article 5, do not exceed the limit value laid down in Annex II according to the dates mentioned therein.

The margin of tolerance laid down in Annex II shall apply in accordance with Article 8 of Directive 96/62/EC.

Article 5

Assessment of concentrations

1 The upper and lower assessment thresholds for benzene and carbon monoxide shall be those laid down in Section I of Annex III.

The classification of each zone or agglomeration for the purposes of Article 6 of Directive 96/62/EEC shall be reviewed at least every five years in accordance with the procedure laid down in Section II of Annex III to this Directive. Classification shall be reviewed earlier in the event of significant change in activities relevant to ambient concentrations of benzene or carbon monoxide.

2 The criteria for determining the location of sampling points for the measurement of benzene and carbon monoxide in ambient air shall be those listed in Annex IV. The minimum number of sampling points for fixed measurements of concentrations of each relevant pollutant shall be as laid down in Annex V, and they shall be installed in each zone or agglomeration within which measurement is required if fixed measurement is the sole source of data on concentrations within it.

3 For zones and agglomerations within which information from fixed measurement stations is supplemented by information from other sources, such as emission inventories, indicative measurement methods and air quality modelling, the number of fixed measuring

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stations to be installed and the spatial resolution of other techniques shall be sufficient for the concentrations of air pollutants to be established in accordance with Section I of Annex IV, and Section I of Annex VI.

4 For zones and agglomerations within which measurement is not required, modelling or objective-estimation techniques may be used.

5 The reference methods for the analysis and the sampling of benzene and carbon monoxide shall be as laid down in Sections I and II of Annex VII. Section III of Annex VII will set out reference techniques for air quality modelling when such techniques are available.

6 The date by which Member States shall inform the Commission of the methods used for the preliminary assessment of air quality under point (d) of Article 11(1) of Directive 96/62/EC shall be the date set out in Article 10 of this Directive.

F17

Textual Amendments

F1 Deleted by [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](#).

Article 6

Committee

1 The Commission shall be assisted by the committee referred to in Article 12(2) of Directive 96/62/EC, hereinafter referred to as ‘the Committee’.

2 Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3 The Committee shall adopt its rules of procedure.

Article 7

Public information

1 Member States shall ensure that up-to-date information on ambient concentrations of benzene and carbon monoxide is routinely made available to the public as well as to appropriate organisations, such as environmental organisations, consumer organisations, organisations representing the interests of sensitive populations and other relevant health-care bodies, by means, for example, of broadcast media, press, information screens or computer-network services, teletext, telephone or fax.

Information on ambient concentrations of benzene, as an average value over the last 12 months, shall be updated on at least a three-monthly basis and, wherever practicable, information shall be updated on a monthly basis. Information on ambient concentrations of carbon monoxide, as a maximum running average over eight hours, shall be updated on at least a daily basis and, wherever practicable, information shall be updated on an hourly basis.

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The information referred to in the second subparagraph shall at least indicate any exceedances of the concentrations stated in the limit values over the averaging periods laid down in Annexes I and II. It shall also provide a short assessment in relation to limit values and appropriate information regarding effects on health.

2 When making plans or programmes available to the public under Article 8(3) of Directive 96/62/EC, Member States shall also make them available to the organisations referred to in paragraph 1 of this Article. This also includes the documentation required by Annex VI(II) of this Directive.

3 Information made available to the public and to organisations under paragraphs 1 and 2 shall be clear, comprehensible and accessible.

Article 8

Report and review

1 No later than 31 December 2004 the Commission shall submit to the European Parliament and the Council a report based on the experience acquired in the application of this Directive and, in particular, on the results of the most recent scientific research concerning the effects on human health, paying particular attention to sensitive populations, and on ecosystems of exposure to benzene and carbon monoxide, and on technological developments including the progress achieved in methods of measuring and otherwise assessing concentrations of benzene and carbon monoxide in ambient air.

2 The report referred to in paragraph 1 shall take into account in particular as regards benzene and carbon monoxide:

- a current air quality and trends up to and beyond the year 2010;
- b the scope for making further reductions to polluting emissions across all relevant sources, taking account of their technical feasibility and cost-effectiveness;
- c the relationships between pollutants and opportunities for combined strategies for achieving Community air quality and related objectives;
- d current and future requirements for informing the public and for the exchange of information between Member States and Commission;
- e the experience acquired in the application of this Directive in Member States including, in particular, the conditions laid down in Annex IV under which measurement has been carried out.

3 With a view to maintaining a high level of protection of human health and the environment, the report referred to in paragraph 1 shall be accompanied, if appropriate, by proposals for the amendment of this Directive which could include further extensions to the timetable for meeting the limit value for benzene in Annex I which may be agreed under Article 3(2).

Article 9

Penalties

Member States shall determine the penalties applicable to breaches of the national provisions adopted pursuant to this Directive. The penalties shall be effective, proportionate and dissuasive.

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Article 10

Implementation

1 Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 13 December 2002 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 11

Entry into force

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

Article 12

Addressees

This Directive is addressed to the Member States.