

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 IV

PLANS

Article 23

Air quality plans

1 Where, in given zones or agglomerations, the levels of pollutants in ambient air exceed any limit value or target value, plus any relevant margin of tolerance in each case, Member States shall ensure that air quality plans are established for those zones and agglomerations in order to achieve the related limit value or target value specified in Annexes XI and XIV.

In the event of exceedances of those limit values for which the attainment deadline is already expired, the air quality plans shall set out appropriate measures, so that the exceedance period can be kept as short as possible. The air quality plans may additionally include specific measures aiming at the protection of sensitive population groups, including children.

Those air quality plans shall incorporate at least the information listed in Section A of Annex XV and may include measures pursuant to Article 24. Those plans shall be communicated to the Commission without delay, but no later than two years after the end of the year the first exceedance was observed.

Where air quality plans must be prepared or implemented in respect of several pollutants, Member States shall, where appropriate, prepare and implement integrated air quality plans covering all pollutants concerned.

2 Member States shall, to the extent feasible, ensure consistency with other plans required under Directive 2001/80/EC, Directive 2001/81/EC or Directive 2002/49/EC in order to achieve the relevant environmental objectives.

Article 24

Short-term action plans

1 Where, in a given zone or agglomeration, there is a risk that the levels of pollutants will exceed one or more of the alert thresholds specified in Annex XII, Member States shall draw up action plans indicating the measures to be taken in the short term in order to reduce the risk or duration of such an exceedance. Where this risk applies to one or more limit values or target values specified in Annexes VII, XI and XIV, Member States may, where appropriate, draw up such short-term action plans.

However, where there is a risk that the alert threshold for ozone specified in Section B of Annex XII will be exceeded, Member States shall only draw up such short-term action plans when in their opinion there is a significant potential, taking into account national geographical, meteorological and economic conditions, to reduce the risk, duration or

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severity of such an exceedance. When drawing up such a short-term action plan Member States shall take account of Decision 2004/279/EC.

2 The short-term action plans referred to in paragraph 1 may, depending on the individual case, provide for effective measures to control and, where necessary, suspend activities which contribute to the risk of the respective limit values or target values or alert threshold being exceeded. Those action plans may include measures in relation to motor-vehicle traffic, construction works, ships at berth, and the use of industrial plants or products and domestic heating. Specific actions aiming at the protection of sensitive population groups, including children, may also be considered in the framework of those plans.

3 When Member States have drawn up a short-term action plan, they shall make available to the public and to appropriate organisations such as environmental organisations, consumer organisations, organisations representing the interests of sensitive population groups, other relevant health-care bodies and the relevant industrial federations both the results of their investigations on the feasibility and the content of specific short-term action plans as well as information on the implementation of these plans.

4 For the first time before 11 June 2010 and at regular intervals thereafter, the Commission shall publish examples of best practices for the drawing-up of short-term action plans, including examples of best practices for the protection of sensitive population groups, including children.

Article 25

Transboundary air pollution

1 Where any alert threshold, limit value or target value plus any relevant margin of tolerance or long-term objective is exceeded due to significant transboundary transport of air pollutants or their precursors, the Member States concerned shall cooperate and, where appropriate, draw up joint activities, such as the preparation of joint or coordinated air quality plans pursuant to Article 23 in order to remove such exceedances through the application of appropriate but proportionate measures.

2 The Commission shall be invited to be present and to assist in any cooperation referred to in paragraph 1. Where appropriate, the Commission shall, taking into account the reports established pursuant to Article 9 of Directive 2001/81/EC, consider whether further action should be taken at Community level in order to reduce precursor emissions responsible for transboundary pollution.

3 Member States shall, if appropriate pursuant to Article 24, prepare and implement joint short-term action plans covering neighbouring zones in other Member States. Member States shall ensure that neighbouring zones in other Member States which have developed short-term action plans receive all appropriate information.

4 Where the information threshold or alert thresholds are exceeded in zones or agglomerations close to national borders, information shall be provided as soon as possible to the competent authorities in the neighbouring Member States concerned. That information shall also be made available to the public.

5 In drawing up plans as provided for in paragraphs 1 and 3 and in informing the public as referred to in paragraph 4, Member States shall, where appropriate, endeavour to pursue cooperation with third countries, and in particular with candidate countries.