

Brussels, 09.06.2004
CAB PS/coa/DG A(04)25786 – D(04) 9087

Dr. Caroline Lucas
MEP
European Parliament
Office 8G103
Rue Wiertz
B-1047 Brussels

Dear Dr Lucas,

Thank you very much for your letter, dated 15th of March concerning a number of matters on the limit values for nitrogen dioxide and oxides of nitrogen.

The existing ambient air quality legislation is designed to avoid, prevent or reduce harmful effects on human health and the environment as a whole. It is part of our ongoing efforts to provide a high level of protection for citizens in the European Union against the impact of air pollutants.

The protection of workers at work, however, is not within the scope of Council Directive 96/62/EC or Council Directive 1999/30/EC. In both cases it is defined in Article 2(1) that for the purpose of the directive 'ambient air' shall mean outdoor air in the troposphere, excluding work places.

Council Directive 98/24/EC on the protection of the health and safety of workers from the risks related to chemical agents at work ensures protection of the health and safety of workers against the risks arising from exposure to chemical substances at work. Under this directive either indicative or binding limit values of exposure to chemical substances are established at Community level on the basis of an independent scientific assessment of the latest scientific data of the toxicity of hazardous chemicals. Occupational limit values of exposure to sulphur dioxide, nitrogen monoxide and oxides of nitrogen are currently being examined by the Commission.

Regarding the review of the first Daughter Directive, DG Environment is currently preparing a report according to Article 10 of Directive 1999/30/EC. The report will be based on the experience acquired in Member States in applying this Directive. Because the first Daughter Directive is closely linked with the Air Quality Framework Directive, the review may also address some issues of the framework directive. The report was not finalised by the end of 2003 because consultations with stakeholders to gather the necessary information took longer than expected. The Commission intends to submit this report in mid 2004.

The Commission is also preparing a Thematic Strategy on Air Pollution to be adopted in mid 2005 as required in the 6th Environmental Action Programme. The thematic strategy will address some essential items of the review. These are, for instance a) the evaluation of recent scientific research concerning harmful effect of air pollutants on human health and the environment, b) the attainability of limit values as well as the review and c) possible recommendations to revise limit values (including those for nitrogen dioxide and oxides of nitrogen). I am not aware, that any Member State has made representations to the Commission suggesting a relaxation of the limit values.

Yours sincerely,


Margot WALLSTRÖM