

**EUROPIA Position on the Commission Proposal for a
Directive relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic
hydrocarbons in ambient air.**

EUROPIA, the European Petroleum Industry Association, is a supporter and a contributor to the European Commission initiatives aimed at improving human health and environment, and, in particular, those related to Air Quality. Therefore, we welcome the European Commission proposal for an Air Quality Directive relating to arsenic, cadmium, mercury, nickel and Polycyclic Aromatic Hydrocarbons (PAHs).

EUROPIA shares the public concern on the Health and Environmental effects of air pollution. This concern led us to become an active participant on Commission programmes, like CAFE, aimed at designing the best measures to achieve optimum air quality standards for Europe in 2020.

EUROPIA also believes that any proposal for setting up air quality standards for pollutants should be underpinned by the following key principles:

- Based on sound science
- Supported by clear health and environment objectives
- Respond to cost-effective measures

In the light of this, we believe that both, either the knowledge on health effects or the background levels of the pollutants covered by this proposal, are still not at the level required to set up limit values for them.

This Paper represents the Oil industry views on the Commission proposal for the air quality Directive relating arsenic, cadmium, mercury, nickel and PAHs in ambient air:

- EUROPIA supports the balance approach taken by the Commission in drafting its proposal by setting alert thresholds for arsenic, cadmium and nickel and polycyclic aromatic hydrocarbons (PAHs) using benzo(a)pyrene (B(a)P) as a surrogate.
- EUROPIA agrees with the Commission that the factors set in the Annex II of the Air Quality Frame work directive to be taken into account to set limit values and alert thresholds for pollutants are not fulfilled in the case of the heavy metals and PAHs covered by the proposal.
- EUROPIA agrees with the Commission proposal to assess the air concentrations of arsenic, cadmium, nickel, B(a)P by measuring their content in the PM10 fraction and the gaseous concentration of mercury throughout the territory of all Member States. We also believe that the deposition rates of arsenic, cadmium, mercury and PAHs shall be followed.

However,

- Recognising that an air quality standard for B(a)P is set by some Member States, either as legally binding or as reference value, EUROPIA believes that setting an EU wide target value for B(a)P is premature. The lack of harmonised measuring methods, the insufficient knowledge on the background concentrations and also the lack of EU wide data on PM10 speciation do not justify such a proposal.
- EUROPIA also believes that the information on health effects of these pollutants, in particular on their genotoxic species is still very limited. Therefore, more research work is needed to assess the level of risk at the air concentrations of these pollutants. Therefore, setting limit values for these pollutants is not justified either on grounds of the cost/benefit analysis or on the available knowledge of risk.
- EUROPIA considers that the timeframe set in the proposal, before 31 December 2008, for the Commission to review and collect information on the results of implementation of this Directive and report to the European Parliament and the Council is too tight. Taking into account the time given to Member States (18 months after entering into force) to transpose and implement the Directive, only data from one year could be provided in the report. December 31 2010 looks much more an appropriate date, since it could allow the evaluation of three consecutive years.

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