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COUNCIL DIRECTIVE

of 15 July 1980

on air quality limit values and guide values for sulphur dioxide and suspended particulates

(80/779/EEC)

(OJ L 229, 30.8.1980, p. 30)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Directive of 19 October 1981 (81/857/EEC)	L 319	18	7.11.1981
►**M2**	Council Directive of 21 June 1989 (89/427/EEC)	L 201	53	14.7.1989
►**M3**	Council Directive of 23 December 1991 (91/692/EEC)	L 377	48	31.12.1991
►**M4**	Council Directive 1999/30/EC of 22 April 1999	L 163	41	29.6.1999

Amended by:

►**A1**	Act of Accession of Spain and Portugal	L 302	23	15.11.1985
►**A2**	Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
	(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995

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COUNCIL DIRECTIVE

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on air quality limit values and guide values for sulphur dioxide and suspended particulates

(80/779/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 100 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament [1],

Having regard to the opinion of the Economic and Social Committee [2],

Whereas the European Communities' programmes of action on the environment of 1973 [3] and 1977 [4] provide that priority is to be given to measures against sulphur dioxide and suspended particulates because of their toxicity and the current state of knowledge of their effects on human health and the environment;

Whereas, since any discrepancy between the provisions already applicable or being prepared in the various Member States with regard to sulphur dioxide and suspended particulates could give rise to unequal conditions of competition and could consequently directly affect the functioning of the common market, the legislative provisions in this area should be harmonized as prescribed in Article 100 of the Treaty;

Whereas one of the basic tasks of the European Economic Community is to promote throughout the Community a harmonious development of economic activities and a continued and balanced expansion; whereas such an achievement is inconceivable without measures to combat pollution, improve the quality of life and protect the environment; whereas, since the Treaty has not provided the necessary powers in this field, Article 235 of the Treaty must be invoked;

Whereas, in order to protect human health in particular, it is necessary to set for these two pollutants limit values which must not be exceeded in the territory of the Member States during specified periods; whereas these values should be based on the findings reached in the framework of the WHO, particularly with regard to the dose/effect relationships established for sulphur dioxide and suspended particulates taken together;

Whereas, despite the measures taken, it may not be possible to comply with these limit values in certain zones; whereas the Member States must therefore be allowed temporary derogations on condition that they forward to the Commission plans for the progressive improvement of the quality of the air in those zones;

Whereas guide values should also be set to serve as long-term precautions for health and the environment and as reference points for the establishment of specific schemes within zones determined by the Member States;

Whereas the measures taken pursuant to this Directive must be economically feasible and compatible with balanced development;

Whereas it is necessary to establish suitable monitoring of air quality and particularly of observance of the limit values; whereas the Member States should therefore be obliged to establish measuring stations to supply the data necessary for the application of the Directive;

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(1) OJ No C 83, 4. 4. 1977, p. 44.
(2) OJ No C 204, 30. 8. 1976, p. 34.
(3) OJ No C 112, 20. 12. 1973, p. 1.
(4) OJ No C 139, 13. 6. 1977, p. 1.

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Whereas since different sampling and analysis methods are applied in the Member States, it is necessary to permit, under certain conditions, the use of sampling and measurement methods other than the reference methods laid down in the Directive;

Whereas, since some Member States use particular methods of sampling and analysis which cannot easily be correlated with the reference methods, it is necessary that the Directive specify different limit values which are to be respected where such methods are used; whereas the Member States concerned should also carry out parallel measurements at a series of representative stations using the reference methods in addition to their own methods of measurement; whereas the Commission must make further proposals in the light of these parallel measurements and of the need to avoid discriminatory provisions;

Whereas the subsequent development of reference methods of sampling and analysis referred to in this Directive may be desirable in the light of technical and scientific progress in this area; whereas in order to facilitate implementation of the work necessary to this end, a procedure should be set up to establish close cooperation between the Member States and the Commission within a Committee on Adaptation to Scientific and Technical Progress,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The purpose of this Directive is to fix limit values (Annex I) and guide values (Annex II) for sulphur dioxide and suspended particulates in the atmosphere and the conditions for their application in order to improve:

— the protection of human health,
— the protection of the environment.

Article 2

1. 'Limit values' means:

— the concentrations of sulphur dioxide and suspended particulates considered simultaneously in accordance with Table A in Annex I, and
— the concentrations of suspended particulates considered separately in accordance with Table B in Annex I,

which, in order to protect human health in particular, must not be exceeded throughout the territory of the Member States during specified periods and under the conditions laid down in the following Articles.

▼M4

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Article 3

1. Member States shall take appropriate measures to ensure that as from 1 April 1983 the concentrations of sulphur dioxide and suspended particulates in the atmosphere are not greater than the limit values given in Annex I, without prejudice to the following provisions.

▼M4

▼B

Article 9

Application of the measures taken pursuant to this Directive must not bring about a significant deterioration in the quality of the air where the level of pollution by sulphur dioxide and suspended particulates at the time of implementation of this Directive is low in relation to the limit values set out in Annex I.

▼M4

▼B

Article 15

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within 24 months of its notification and shall forthwith inform the Commission thereof.

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

Article 16

This Directive is addressed to the Member States.