

**ARCHIVES HISTORIQUES  
DE LA COMMISSION**

**COLLECTION RELIEE DES  
DOCUMENTS "COM"**

**COM (80)222**

**Vol. 1980/0072**

Historical Archives of the European Commission

### ***Disclaimer***

Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 222 final

Brussels, 7th May 1980

PROGRESS MADE IN CONNECTION WITH THE  
ENVIRONMENT ACTION PROGRAMME AND ASSESSMENT  
OF THE WORK DONE TO IMPLEMENT IT

---

(Communication from the Commission to the Council)



COM(80) 222 final

DISCUSSION AND WORKING PAPER ON  
PROGRESS MADE IN CONNECTION WITH THE ENVIRONMENT ACTION  
PROGRAMME AND ASSESSMENT OF THE WORK DONE TO IMPLEMENT IT

I. Background

In 1971, the Commission sent to the Council a Memorandum on the environment pointing to the need to take account of natural resources and the quality of life in defining and organizing economic development in the Community and outlining Community action in this field.

Closely followed by memoranda from several acceding States, this initiative was soon to derive a considerable political boost from the declarations made at the Paris Summit in October 1972 and led, in November 1973, to the adoption by the Council of a Community policy and Action Programme on the environment which were confirmed and updated in 1977.

From the outset, the Community interpreted the term "environment" fairly broadly, regarding it as encompassing all the natural resources (the natural environment, land, energy and raw materials) damaged or over-exploited as a result of economic and social development, and the quality of life - which is greatly influenced by the way in which these natural resources are exploited.

Environment policy, which is intended to contribute to harmonious economic development, thus has a two-fold objective : (i) to ensure sound management of natural resources - which are economic assets of increasing importance and common to all mankind now and in the future - and (ii) to bring qualitative aspects into the planning and organization of economic and social development. The Community's environment policy aims at achieving this twin objective by assigning to the Member States and to the Community the carrying-out of activities broken down, in the 1977-81 Action Programme, into four main objectives:

- (i) to reduce, by means of remedial or - if possible - preventive action, pollution and nuisances detrimental to natural resources, the biosphere and the quality of life;

- (ii) to protect natural resources and the natural environment, and improve the quality of life, by means of measures regulating certain activities and, in the longer term, by new instruments of a preventive nature;
- (iii) to organize back-up measures (research, the spreading of knowledge, economic studies, educational and information campaigns and the like);
- (iv) to look for international solutions to certain problems.

This policy must observe eleven principles, chief among which are :

- the Polluter Pays Principle, whereby the polluter is made financially responsible for making good any damage he does to the environment;
- the principle that priority is to be given to prevention - which is more efficient and less expensive than cure;
- the principle that the most appropriate geographical level (local, regional, national, Community or international level) must be sought for each type of action. More specifically, the Community will step in only if action at national level needs to be placed in a wider perspective to become fully effective or if it involves a common interest (safeguarding of water, for example) or when the adoption of divergent national measures would cause major economic or social problems.

## II. The results so far

Annex I provides a progress report on, and a detailed assessment (by Chapter of the Programme) of, the action taken or under way, the obstacles encountered and the future prospects as regards Community action.

It shows that substantial results have been achieved in various fields in a very short space of time:

- The main endeavours have been in the form of legislative and regulatory action to reduce pollution. It is noteworthy that in less than seven years the Community has adopted 58 legislative texts in this field, fifteen on water pollution, ten on the reduction of air pollution, seven on waste, eight on noise pollution and four on the protection of the environment, land and natural resources. Annex II lists the environmental legislation adopted by the Council or the Commission.
- The implementation or study of new instruments for action is under way, including :
  - = The development of a method of "ecological mapping" now being used experimentally in ten Community regions. It is a way of describing the environment in a rational and scientific manner and of reflecting its diversity in terms of levels of suitability for a range of economic or social uses.

- The implementation of environmental impact assessment procedures, on which the Commission will be submitting a proposal in the near future, concerning development projects likely to have significant effects on the environment.
- The establishment of European Conventions on the Quality of Life now being tried out experimentally in respect of asbestos and chlorofluorocarbons.
- The promotion of technologies which cause less pollution and generate less waste.
- Research on improving the environment is being carried out or coordinated under the research programme. Financial support of 21 million u.a. was earmarked for action in this area in 1979, for four main topics: research to establish pollution criteria (doses and effects); prevention or reduction of pollution; preservation of the natural environment and information management (data banks).
- Various training campaigns and campaigns to make the public more aware of environmental matters have been successfully completed. In particular, a network of pilot schools interested in teaching environment-related subjects has been set up in all the Member States, an inventory of environmental documentation and research centres has been drawn up and university studies and research have been encouraged.
- In 1975, a Regulation created the European Foundation for the Improvement of Living and Working Conditions which has been set up in Dublin.
- The Community is a Contracting Party to, and actively participates in, the implementation of international agreements on the protection of the sea against pollution, the conservation of animal and plant species threatened with extinction and action to combat trans-frontier pollution.
- The Commission is cooperating closely with the international organizations dealing with environmental problems such as the OECD, the Council of Europe, the United Nations Environment Programme (UNEP) and the United Nations Economic Commission for Europe (ECE).
- Finally, there are regular exchanges of information between the Commission and third countries such as the USA, Canada, Japan, Switzerland, Austria and Sweden.

### III. How Community environment policy interacts with national policies

Community environment policy fulfils several functions in relation to Member States' policies :

- It helps to define a common approach to environment policy and to work out common objectives and principles.

- It harmonizes Member States' policies whenever, in isolation, they might cause economic difficulties (barriers to trade or distortions of competition) or cannot deal effectively with the kind of problems involved such as trans-frontier pollution.
- The very fact that it exists at all gives encouragement and acts as a driving force. It provides a focus for dialogue and allows regular meetings and exchanges of views and experience between national administrators, MP's, industrialists, ecologists, etc. The Information Agreement signed in March 1973 plays an important role here. In signing the Agreement, the Member States undertook to send the Commission their draft national environmental legislation before adoption.  
This procedure not only ensures that the Commission has advance notice, but also enables it to ask the Member States to postpone adoption for a short while to allow the Commission time to propose Community measures for adoption by the Council in the particular field. There is thus a kind of osmotic interaction between the various national laws through the agency of Community regulations designed to extend to the rest of the Community national schemes to improve the environment. Since 1973 the Commission has received over 250 such notifications.
- It can give specific measures the most appropriate geographical and political dimension. This applies to measures to reduce trans-frontier pollution, coordinate research and increase public awareness. It also applies to cases where environmental protection measures affect international trade patterns. An example of this can be seen in the discussions currently in progress with the American authorities on the application of the "Toxic Substances Control Act" to chemical products from the Community and application of the relevant Community rules (Sixth Amendment).
- It strengthens the position of the Member States at international level (OECD, Council of Europe, UNEP, ECE, international agreements) by putting forward a Community position or a common position, as the case may be.

#### IV. Obstacles and difficulties encountered

1. Without doubt, the main hurdle which has had to be surmounted in implementing the programmes has been, and still is, the considerable imbalance between the vast amount of work involved and the small staff complement available to do it. This has considerably slowed down some programmes (e.g. reducing water and air pollution, setting up an environmental impact procedure), seriously hampered others (waste) and is making it difficult to fulfil the obligations the Commission has taken on with the Directives already adopted (e.g. the Sixth Amendment).

2. With regard to combating pollution, four main types of difficulties have been encountered :

- The first is the scientific information available. Depending on the state of scientific knowledge reliable and unchallengeable data on the properties of pollutants and their effects on man and the environment is not always available. Unanimous agreement is always difficult, so there often remains considerable scope for interpretation, with the result that it may be tempting in some cases to use this as a reason for restricting the severity of the measures proposed. This results in differences of opinion between Member States, which in turn delays the adoption of the measures. The research programmes should give a high priority to these problems.
  - Another difficulty is that of obtaining clear and accurate information about the costs and benefits of a particular measure. Much progress has still to be made in this area although, of course, the situation of the various firms in the Community can never be the same and any measure, however modest, will affect a firm differently according to the kind of firm which it is and according to its geographical and economic situation.
  - A third difficulty arises because different Member States approach the same problems in different ways. The best example of this concerns the reduction of water pollution, where two alternative approaches were provided for in Directive 454, even as regards the toxicity, persistence and bioaccumulation of substances. The differences between the two approaches are such that they could of course lead to different results and thus to measures of unequal stringency.  
This disparity leads in turn to suspicion of the Commission's proposals or between Member States, each of which tends to consider that its approach results in measures which are more stringent for its industry.  
The Commission hopes that the discussions involved in the adoption of the Directive on mercury and the "drins" will serve to clear the air and expedite future work on other substances.
  - Lastly, the differences between measurement techniques and methods sometimes make it difficult to arrive at common standards (e.g. for SO<sub>2</sub> and particulates suspended in the air).
3. Difficulties may also sometimes arise if the political will is uncertain. This was the case with measures to prevent and combat the pollution of the sea by oil. The half-hearted political response arose only because of a succession of catastrophes. The Commission earnestly hopes for more support than in the past for the proposals it intends to present following on from the Council's decisions of June 1978.
4. Difficulties relating to the scientific information mentioned above and the different geographical, political and economic circumstances of the different Member States inevitably mean that their responsiveness to environmental issues varies, and this may in turn result in different attitudes to certain problems.



This is the case, for example, with the policy to be adopted on chlorofluorocarbons, air pollution by sulphur or lead, pollution of the sea as a result of the wilful discharge of industrial wastes, etc. These difficulties are not insuperable. They have to be solved in compliance with the rules relating to the common market and, if necessary, by phasing the times and varying the areas for the application of the common rules adopted.

5. Recourse to Article 235, either on its own or in conjunction with another Article of the Treaty, has not caused any particular difficulties, apart from a few cases relating to the protection of wildlife. The Commission hopes that reservations in this sphere will be withdrawn since the international character of the matters involved, their effects on various policies (commercial policy, agricultural policy and fisheries policy) and public sensitivity on these matters are in themselves sufficient to justify the action undertaken by the Community in this respect.

6. More recently, the external effects of certain common rules, combined with the fears arising from the different attitudes mentioned in paragraph 4 above, have resulted in some Community action being blocked. It should be stressed here that the benefits of adhering to a Community policy, weighed against the few slight disadvantages involved, should be assessed as a whole and that there is no chance of making headway with such a policy if each Member State only wishes to accept those aspects which are to its advantage.

In the particular case of the wilful discharge of waste at sea, which is likely to increase substantially because of progress made in combating pollution elsewhere, the cost of monitoring waste storage sites on land and the increasing difficulty in finding suitable sites because of the limited space available and local opposition, the Commission considers that the Community should arm itself with a consistent policy and hopes that the matter will shortly be discussed in the Council.

7. The implementation of Community environment policy and of the related Directives (see the appropriate section in Annex I) cannot fail to be affected by institutional and administrative differences between the Member States, differences in procedures as regards regulations and the division of responsibilities between national and regional authorities.

V. The direction in which environment policy is now heading

The early years of evolving an environment policy were spent at both national and Community level in shaping this policy and dovetailing it into traditional policies and in creating the requisite institutional machinery. The United Nations Conference on the Environment in Stockholm in June 1972, with the much-quoted theme "Only One Earth", was an expression of these objectives, as were the concerns of the Ministers of the Environment of the Member States meeting in Bonn in October of that year. Action at both

national and Community level was primarily concerned with setting up the necessary administrative machinery, drafting the most urgent laws and introducing an "environment dimension" into traditional policies.

During these exploratory years, national and Community policy focused on measures to remedy the most striking examples of pollution. There is now, however, an established trend to pursue preventive policies, wherever possible, based on the development of clean technologies and the use of renewable raw materials. Environment policy has also taken on a new significance: sensible and careful management of natural resources including land-use planning. Concern about the conservation of our resources inspired by a desire to preserve the Planet Earth and safeguard it for future generations is now accompanied by an increasingly persistent call for development which is more concerned with quality - to which environmental protection and planning can contribute. To ensure qualitative development there needs to be greater public involvement in local decision-making - which affects the quality of life, living conditions and life style of each and every individual.

Since 1975-76, environment policies have had to take account of the unfavourable trend in economic growth, features of which are energy problems (higher costs, need to reduce dependence on imported oil by means of an intensive energy-saving and diversification programme) persistent inflation, rising unemployment and balance of payments deficits. Increasing attention has therefore been paid (particularly by the OECD) to the economic consequences of environment policies. It has been established that the costs of environmental protection are marginal in terms of economic aggregates (see Doc. OECD ENV/Min(79)5 of 6 April 1979).

- (i) The overall short-term impact of environment policies on employment seems to have been a net creation of jobs. This net positive effect, however, includes gains and losses from one region and industry to another.
- (ii) The inflationary effect of environment policies has, on average, been around 0.2% to 0.3% each year using the consumer price index as a basis for measurement. The Polluter Pays Principle has generally had a good effect on the structure of prices by encouraging greater efficiency.
- (iii) Public authorities' environmental expenditure generally accounts for a minimal proportion (1% to 2%) of the GDP whereas - according to OECD estimates - damage caused by pollution accounts for 3 to 5% of GDP (see the OECD document mentioned above).
- (iv) International cooperation has sought to minimize or nullify any bad effects which environment policies might have on external trade or international capital flows. The action being undertaken concerning chemical products is a good example of international work in this area.

It can be concluded from available information that the economic impact of environment policies has not so far given rise to a conflict between environmental and economic objectives or between the policies pursued to achieve these objectives.

## CONCLUSIONS

It is particularly striking that despite the problems described above, Community policy, and national environment policies as a whole have made substantial progress in a short space of time, and that public opinion is still extremely concerned about environmental problems and still supports environmental protection measures despite current economic problems.

What form and direction should future action take?

The Commission can only give a few initial thoughts on the matter at this rather early stage (the current programme does not end until next year):

- (1) One of the first things to be done is to finish the vast amount of work under the current Programme which, for various reasons, it has not been possible to complete.
- (2) The Framework Directives must be implemented and the legislative and regulatory action already undertaken consolidated.
- (3) A list of priorities (some of them new ones) must be drawn up in the light of the economic changes which have occurred, with precedence to be given to preventive policy instruments. These might include :
  - Control of toxic substances discharged into the environment (their manufacture, transport and use).
  - Combating pollution of the seas by oil.
  - Control of atmospheric pollution, particularly trans-frontier pollution.
  - Measures designed to ensure greater consistency between the exigencies of environment policy and those of other policies such as agricultural policy, regional policy, energy policy and transport policy, by dovetailing environment policy into these policies more effectively.
  - Measures to protect certain types of land:
    - = areas of special interest for certain types of habitat, or certain type of flora and fauna,
    - = vulnerable areas,
    - = derelict land.
  - Assessment of the economic impact of environment policies (costs and benefits).
  - Implementation of a waste management policy (protective measures against dangerous waste, and reclamation and recycling of waste).
  - Development of new technologies which pollute less or use less non-renewable resources.

Each section in Annex I contains some "paths" which need to be explored in greater detail.

In addition, the environmental research programmes should be continued and stepped up (see the conclusions of the 619th Council meeting held on 20 December 1979).

The Commission is investigating the possibility of using new instruments for action, in particular the employment of financial resources for operations of a general interest or serving as examples, in order to diversify Community action on the environment. Some preliminary thoughts on the matter are set out in the section on economic aspects.

The Commission will be shortly sending appropriate proposals to the Council containing the relevant budgetary requests.

X

X

X

A purposeful environment policy seems to the Commission to be an appropriate way for the Community to play a full part in securing truly harmonious and balanced economic development. This involves a more circumspect approach to resources, greater concern to improve living conditions (not just living standards), greater attention to the social and environmental consequences of decisions, a more receptive and imaginative approach and the promotion of innovations which will be of genuine benefit to mankind.

PROGRESS MADE IN CONNECTION WITH THE  
ENVIRONMENT ACTION PROGRAMME AND ASSESSMENT  
OF THE WORK DONE TO IMPLEMENT IT

## TABLE OF CONTENTS

### ANNEX 1

Page

<u>Reduction of pollution and nuisances</u>	1
Water management	1
Atmospheric pollution	9
Noise pollution	13
Chemical products	16
<u>The protection and rational management of land, the environment and natural resources</u>	20
The protection and rational management of land	20
- "Ecological Mapping"	21
- Rural areas and forestry	23
- Urban areas	28
- Coastal areas	31
- Mountain areas	33
- Protected areas	34
Protection of flora and fauna	35
Protection and management of natural resources	38
- Protection and management of water resources anti-wastage measures	38
- Waste management	40
- Clean or low-polluting technologies	44
<u>General action</u>	47
Environmental impact assessment	47
Economic implications of environmental protection	49
Dissemination of information	53
Promotion of awareness of environmental problems and education	55
Implementation of directives	57

REDUCTION OF POLLUTION AND NUISANCES

WATER MANAGEMENT

I. OBJECTIVES

The measures to reduce fresh water and marine pollution centre on six priority areas

- the definition of quality objectives for fresh water and sea water;
- the protection of the aquatic environment against pollution by dangerous substances;
- the protection of the sea against oil pollution;
- the surveillance and monitoring of water quality;
- measures specific to certain branches of industry;
- activities under international agreements and organisations.

The general objective of these measures has been to reduce or eliminate pollution at source, as far as possible. The various Directives and Decisions presented and adopted consider both the type of pollutant and the environment into which it is discharged.

The Community has adopted several methodological approaches and varying measures in line with the specific nature of the pollutants in question.

Most Community rivers and seas are threatened by generally degradable pollutants from scattered sources.

In order to contain this pollution and enable water to be put to its various uses, the Commission has proposed - and the Council has adopted - a number of Directives establishing quality objectives for water as a function of its use.

Other pollutants which are more harmful because of their toxicity, persistence and bioaccumulation require more specific measures. It is this which brought the Council to adopt the Directive on the protection of the aquatic environment against pollution by dangerous substances.

Oil is a special case where pollution is concerned. It can be discharged from fixed sources such as refineries or oil rigs or when being transported. The accident on the Ekofisk rig in 1977 and the sinking of the Amoco Cadiz in 1978 revealed the weakness and inadequacy of the existing possibilities for obtaining information and taking steps to combat such pollutants. The Council therefore adopted an Action Programme entrusting the Commission with certain activities.

In order to apply the Council Directives and the national laws and regulations concerning water protection, surveillance and monitoring systems must be set up. These arrangements should permit assessment of the effectiveness of measures to reduce or eliminate pollution. The monitoring and surveillance measures must lead to comparable results at Community level.

.../.

Pollution caused by certain industrial activities is sometimes less harmful because of the nature of the pollutants but is serious because of the large volume discharged; this is the case with the titanium-dioxide and wood-pulp industries.

Because of the international nature of water pollution, Community measures alone are not sufficient. For this reason, and within the scope of its powers, the Community is a Contracting Party to several international agreements; it also takes part in the activities of various international bodies.

## II. ACHIEVEMENTS

### (a) Quality objectives

The Council has adopted four Directives on quality objectives:

- the quality required of surface water intended for the abstraction of drinking water in the Member States;
- the quality of bathing water;
- the quality of fresh waters needing protection or improvement in order to support fish life;
- the quality required of shellfish waters.

As regards surface water, the Commission has only once received a justification for using water of quality lower than A3<sup>1</sup>; it is now sending its reply to the Government concerned.

No Member State has informed the Commission of its plans for national measures to purify surface water or applied for derogation under Article 8 of the Directive.

The Council has adopted a Directive concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States.

The Commission is currently drawing up a summary report on bathing waters and their most significant features on the basis of the information received from the Member States. The Commission has received no applications for derogation and does not consider it necessary at present to propose amendments to adapt this Directive to technical progress.

The Commission has not yet drawn up proposals on quality objectives for aquatic life, agricultural waters, industrial waters, the minimum satisfactory long-term quality of waters, or seepage water.

---

<sup>1</sup> Minimum quality for surface water which may be used for the abstraction of drinking water after appropriate treatment.



(b) Dangerous substances

The adoption by the Council of the Directive on dangerous substances in 1976 was followed up by the presentation to the Council of two proposals concerning the elimination of pollution caused by discharges of mercury by the chloralkali electrolysis industry and pollution caused by aldrin, dieldrin and endrin. The Council is discussing these proposals.

The Council has also adopted a Directive on the protection of ground-water.

The Commission is continuing its studies into dangerous substances (scientific, technical and economic aspects) and is preparing proposals for Directives on:

- the discharge of mercury by other branches of industry not included in the abovementioned proposal;
- cadmium;
- Another group of dangerous substances among them 7 pesticides :
  - . chlordane
  - . heptachlor and heptachlor epoxide
  - . DDT (and metabolites DDD and DDE)
  - . hexachlorobenzene (HCB)
  - . hexachlorocyclohexane HCH and HCH isomers
  - . PCB and PCT
  - . endosulfan
  - . hexachlorobutadiene
  - . pentachlorophenol
  - . trichlorophenol.

The Commission, following up the studies which it has conducted, has sent the Member States a list of 1 500 substances qualifying for inclusion in List I of the Directive on dangerous substances.

Additional work has been carried out in the meantime and the Commission will shortly submit a communication in which it will list a smaller number of substances which require priority action because of their toxicity, persistence and bioaccumulation. This list will be drawn up in line with the quantities produced and used and their presence in Community waters.

The Commission, with the collaboration of the national experts, is continuing to implement the inventory of substances in List I provided for by the same Directive.

For the past two years the Commission has asked the Member States to send it their reduction programmes concerning the substances on List II. Only two States have replied and the Commission has not therefore been able to compare the programmes to ensure uniform implementation, as provided by Article 7 of the Directive.

The Commission has not put forward proposals to regulate the pollution of territorial waters by operational discharges from ships.

.../.

(c) Oil pollution

The Commission has conducted the studies provided for in the Action Programme on pollution caused by oil discharged at sea and is preparing to act on the findings. For this purpose, it is drawing up the following proposals which will be presented to the Council in the coming months:

- the creation of an ad hoc committee as a permanent structure for the exchange of views and for coordination;
- the establishment of an information system on the means of combating the discharge of oil at sea and on oil tankers and oil rigs which may be the cause of these discharges. This system should allow the national authorities to:
  - . react as quickly as possible to oil spills by pinpointing the appropriate facilities for dealing with pollution;
  - . take preventive measures against ships which do not conform to international agreements;
  - . have information on the characteristics of the various types of oil and the appropriate treatment methods;
- the harmonization of certain features of equipment to combat oil pollution in order to ensure compatibility and conformity with the specifications which may be laid down by the Council;
- Community participation in the operation of centres to test equipment for combating oil pollution and the sharing of the cost of acquiring and maintaining expensive equipment such as the aircraft used for spreading dispersants or other chemical products on oil slicks.

The Commission will propose the exchange of information on the combat methods and the promotion of pilot schemes of common interest in order to increase the effectiveness of emergency operations following the accidental discharge of oil at sea. It may prove useful to coordinate emergency plans drawn up at national level or harmonize some of their features. The Commission will also examine how it can support certain measures to:

- . train personnel to use the information system which it will propose to the Council;
- . organize practice alerts to test the effectiveness of national emergency plans, particularly as regards cross-frontier pollution;
- . exchange information between several States.

Some of these measures could be extended beyond the Community in order to make them more effective for regional seas. It should also be mentioned that the Commission has already launched a research programme concerning the effects of oil pollution and ways of dealing with it.

.../.

(d) Surveillance and monitoring

In 1977 the Council adopted a Decision establishing a common procedure for the exchange of information on the quality of surface fresh water in the Community. In accordance with this Decision, the Commission has drawn up the first summary report on the quality of water in the Community, covering the measures taken in 1976; the final version will be ready in the second half of the year. The second report - for 1977 - is in preparation.

The Commission has also had a study conducted on the quality of the Community's coastal waters; the findings have been sent to each Member State and examined at a recent meeting of experts. This study will be published in a summary version.

(e) Certain branches of industry

As regards certain branches of industry, the Council has adopted a Directive on waste from the titanium dioxide industry. This Directive calls on the Member States to draw up programmes for the gradual reduction of pollution and to send them to the Commission by 1 July this year.

Two Member States have asked the Commission for permission not to draw up programmes for some of their companies. The Commission has given its agreement as regards two of these companies in view of the pollution-reducing processes which have already been introduced. In the other cases, it believes that pollution-reduction programmes should be drawn up.

The Commission's opinion has been contested by two companies which have brought an action before the Court of Justice. The case is still in progress.

The Commission is currently drawing up a proposal for a Directive on the methods for the surveillance and monitoring of sites where waste from the production of titanium dioxide is discharged.

In January 1975, the Commission presented to the Council a proposal for a Directive on the reduction of water pollution caused by wood pulp mills. This proposal was examined and discussed at length by the Council, but no agreement was reached. Meanwhile, the Commission has asked a consultant to study the ecological effects of waste discharged by this industry into the sea.

Because of the differences in the Council, the Commission saw no point in continuing its activities in this sector and presenting specific proposals for other branches of industry.

(f) International activities

The Community is represented by the Commission, within the scope of its powers, in international agreements dealing with problems of water pollution.

.../.

The Commission is playing an active role in the activities of the International Commission for the Protection of the Rhine against Pollution. In particular, a Commission representative is chairman of the working party responsible for implementing the Convention on chemical pollution. The activities undertaken under this Convention can thus be aligned with the work going on at Community level.

This Convention has been signed by four Member States (Germany, Luxembourg, France and the Netherlands), Switzerland and the Community. Its provisions are similar to those of the Council Directive on the protection of the aquatic environment against pollution by dangerous substances. In 1979 the International Commission, following up the activities conducted within this group, put forward its first proposals to the Contracting Parties to the Convention concerning the elimination of pollution caused by the mercury discharged by the chlor-alkali electrolysis industry. Other proposals on the elimination or reduction of cadmium and chromium pollution are in preparation. The dangers represented by the discharge of certain carcinogenic substances into the aquatic environment are being studied.

Although the Community has not signed the abovementioned Convention, the Commission is attentively following the International Commission's activities in this sector.

The Barcelona Convention on the protection of the Mediterranean Sea is an outline convention which contains a number of proposals for combating specific types of pollution. Negotiations have almost been completed on the Protocol concerning the Protection of the Mediterranean against Pollution from Land-based Sources. The Commission has put forward a recommendation for a Council Decision authorizing the Community to sign this Protocol at the next meeting of the Contracting Parties at Athens in May 1980.

The Commission is also taking part in the activities of the Paris Convention for the Prevention of Marine Pollution from Land-based Sources in the North-East Atlantic. It has contributed to the work of various groups and sub-groups, in particular those dealing with the surveillance of the marine environment, mercury discharges, oil and titanium dioxide.

The Commission is also taking part as an observer in the activities of the Oslo Convention on the Prevention of Marine Pollution by Dumping from Ships and Aircraft.

The Commission is continuing negotiations to conclude the Strasbourg Convention for the Protection of International Watercourses against Pollution. The Commission will repeat its request for the opening of negotiations on Community accession to the Helsinki Convention on the Protection of the Marine Environment in the Baltic Sea Area.

The Commission is also taking part in the water management activities of the Economic Commission for Europe and the OECD.

### III. DIFFICULTIES

Some of the difficulties involved in applying the Directives already adopted by the Council on quality objectives (absence of plans

.../.

in several Member States to reduce pollution caused by List II substances) and titanium dioxide (appeals made to the Court of Justice) were already mentioned in the previous section.

The Council has not yet been able to adopt the proposal for a Directive on wood pulp mills as it has not reached agreement on the limit values proposed by the Commission nor on a parallel approach involving the use of quality objectives.

The establishment of implementing Directives on the discharge of dangerous substances, in particular those concerning the dioxins and mercury, is encountering various kinds of difficulties. The first results from the Council Decision itself, which sets out two different approaches: the fixing of limit values and, exceptionally, the application of quality objectives.

These two approaches are the result of a political compromise which, when applied in the form of implementing directives, will hinder the comparison of the practical measures which must be definitively taken to eliminate water pollution caused by the List I substances.

The Commission and most delegations tend to consider that, because of the characteristics of these substances, the quality objectives for them should be set without taking into account the specific uses to which the water is put, whereas the other delegations feel that these uses must be known before the objective can be defined.

The second difficulty arises from the varying approaches to assessing the ecological hazards of certain dangerous substances. Some Member States consider that a substance is harmful if it has not been proved to be harmless. Other Member States consider that the harmfulness of every substance must be scientifically proved before provisions are proposed.

A third difficulty lies in the institutional and administrative differences between the Member States. Some of them apply uniform measures for reducing pollution throughout their territory whereas others vary their practice from case to case.

Another difficulty arises from the disparities or shortcomings in the assessment of the pollution problems in question. In some cases, abundant scientific data are available; in other cases, there are serious gaps. In all cases, a scientific consensus is seldom achieved easily either on specific statistics or on the monitoring measures which should be taken. Similarly, the assessment of the measures to be taken as regards technology and the economic effects is complicated by the need to take account of several factors such as the differences in the size of the industries concerned, the age of the plant and processes used and their current profitability.

Finally, the extremely limited number of staff available has not been able to cope with all the commitments arising from the Resolutions, Decisions and Directives adopted by the Council. It has not therefore been possible to carry out certain measures and others have had to be put off. It should be noted in this connection that policy difficulties often ask for a great number of requests for complementary examinations and studies, which, in any case, involve additional work for the Commission departments.

#### IV. PROSPECTS

The Commission would like the Council to formally adopt the Directive relating to the quality of water for human consumption approved in principle on 19 December 1978.

The Commission will continue to concentrate its activities on the implementation of the Directive on pollution caused by certain dangerous substances discharged into the aquatic environment.

To speed up implementation of this Directive, first priority has been given to substances which are recognised to be the most dangerous; future work will turn to sectors manufacturing or using several substances at once.

The elimination of pollution caused by List I substances and the reduction of pollution caused by List II substances will become fully effective when the Commission proposes measures which also cover the indirect and diffuse discharges of these substances.

Stricter control of direct discharges into the aquatic environment may lead to an increase in indirect discharges into the atmosphere or soil, thus transferring pollution from one environment to another.

On the other hand, many of the List I substances are used as pesticides, herbicides, fungicides and biocides in agriculture and contribute to the diffuse discharges.

As a result, the Community's future activities in this sector should seek to exercise more effective control of indirect, diffuse discharges. Otherwise, application of the Directive to direct discharges alone will not lead to full achievement of its objectives.

The Commission's activities as regards pollution caused by oil discharged in the sea will concentrate on implementing the specific measures indicated in the previous section.

The Member States must display greater force in implementing the quality objectives for fresh water and sea water. A special effort will be made to encourage them to draw up programmes for cleaning up these waters.

The reports on the quality of fresh water and bathing water will be published regularly and changes may be proposed to make the results more meaningful and comparable.

The Commission will continue and intensify its activities under international agreements, in particular the Barcelona and Paris Conventions.

.../.

ATMOSPHERIC POLLUTION

I. OBJECTIVES

In the Second Action Programme the emphasis is on continuing the action provided for in the First Action Programme of 1973, namely:

- the determination of criteria, particularly for first category pollutants, and the standardization and harmonization of measuring methods;
- the establishment of quality objectives for first category pollutants;
- the laying down of provisional common standards when urgent reasons based on the protection of human health or protection of the environment so require, without waiting for criteria and quality objectives to be established at Community level;
- exchange of information between the surveillance and monitoring networks;
- the establishment of standards for products;
- the implementation of action specific to certain industrial sectors and to energy production;
- the implementation of action for the protection of the environment in frontier zones.

In addition, in the Resolution of 3 March 1975 on energy and the environment, the Council invited the Commission to implement a programme of specific action on thermal discharges, sulphur dioxide and nitrogen oxides.

II. ACHIEVEMENTS

The Council has adopted a number of Directives concerning measures to counteract air pollution caused by motor vehicles (petrol or diesel) and agricultural tractors, relating to the biological screening of the population for lead, limiting the sulphur content of certain liquid fuels and the lead content of petrol.

It has also approved a Directive on limit and guideline values for sulphur dioxide and suspended particles in the atmosphere.

.../.

A common procedure for the exchange of information between the measuring networks for sulphur dioxide and particles in suspension has been established. Two summary reports on the 1976 and 1977 activities have been published and a third one now being prepared will cover 1978.

In addition the Council has authorised the Community to sign the Geneva Convention on Long-range Transboundary Air Pollution.

On the research front, concerted action on the physico-chemical behaviour of sulphur dioxide and atmospheric pollutants is under way and a Multi-annual Climatology Programme has been adopted by the Council.

The Council is also examining other proposals for Directives. These concern the use of fuel oils with the aim of decreasing sulphurous emissions and also air quality standards for lead.

Meanwhile the Commission has started work aimed at acquiring the scientific knowledge required to assess the effects of atmospheric pollution and at harmonizing the methods for measuring atmospheric pollutants.

### III. DIFFICULTIES

One of the difficulties is the very small number of staff available. This has meant that the Commission has had to make a selection from the activities envisaged in the Action Programme. Preference has had to go to remedial rather than preventive action, except where the establishment of quality standards for air is concerned.

Another difficulty is the lack of scientific and technical information. The Member States accept the general objectives but the basic data which should have been provided by epidemiological surveys and are a prerequisite for drafting precise standards are often inadequate. This raises the question whether, when the scientific approach was adopted in the Action Programmes, the possibility of establishing valid scientific criteria in a short time for a large number of first category air pollutants was not overestimated. The establishment and submission to the Council of criteria for SO<sub>2</sub> and particles in suspension highlighted this difficulty. Other countries, particularly the United States, have encountered the same problems, as evidenced by the number of proceedings in the American courts. This lack of information is often used as a pretext for preventing or delaying particular 'conservation' measures likely to have commercial or fiscal consequences of some magnitude.



On a more general level there are the problems caused by the differences between the policies of the Member States. The latter have to allow for individual situations, for instance as regards the costs to be borne by the polluter, the effects on competition, employment and regional development and the required increase in the use of indigenous resources. The compromises proposed by the Commission have often had to be based on the lowest common denominator.

<sup>the</sup>  
IV. PROSPECTS

Work on the setting of air quality standards to serve national policies as guidelines to the common objectives should continue. General quality standards for widely-occurring pollutants, based on existing or planned criteria, should be fixed. A second type of air quality standard should be set for limited application in the immediate environs of the main sources of the pollutant emissions concerned (CO, asbestos, heavy metals such as Cd and Hg and, where necessary, other second category pollutants).

Industrial action (such as standards for products, industrial standards) should be intensified to support the active policies pursued by some Member States in this field. In this connection we should mention the following: the sulphur content and utilisation of fuel oils, the sulphur content and use of coal, a further reduction in motor vehicle emissions and limiting and reducing emissions from gas turbines.

All this work should go hand in hand with a detailed evaluation of the effects of the proposed action on the economy and on the energy situation. As stated in the 1980 Programme Address, a large proportion of the Commission's activities will be concerned with energy conservation. The RUE (Rational Utilisation of Energy) programme which has been conducted in this field for some years will probably also improve air quality. However, the threats to the Community's energy supplies imply making more use of indigenous energy resources, chiefly coal, with all that implies in the way of harmful consequences to the environment, particularly the air, unless appropriate steps are taken.

In this connection the best medium- and long-term objective as regards air pollution would be to adopt an air pollution policy that aims at stabilization to begin with, followed by a gradual reduction of total emissions for a limited number of pollutants.

.../.

Among the ways of achieving this objective are:

- continuing the RUE Programme;
- making use of renewable forms of energy and of nuclear energy, taking all the precautions required in the case of the latter;
- creating a standard framework within which authorizations should be granted nationally for building and operating certain types of fixed installation which contribute towards atmospheric pollution;
- harmonizing the scope of the emission standards for certain fixed installations and pollutants;
- developing and introducing emission inventories and measurement networks as a technical support measure;
- promoting the introduction of techniques giving rise to little or no pollution.

General backup activities and research should be continued as set out in the Programme guidelines.

It should also be pointed out that voluntary industrial agreements for specific industries, or appropriate economic incentives, could also help, the aim always being to continue implementing the Programme, with the emphasis on prevention.

## NOISE POLLUTION

### I. OBJECTIVES

The increase in noise pollution suggests that solutions to the general problem are to be sought through the implementing of an overall Programme to combat noise, drawn up in general terms at a Community level, and defined specifically and applied at the level appropriate to the intended type of measure.

The Environmental Action Programme made the Commission responsible for defining the overall approach, taking into consideration (a) the types of activities that it would be desirable to protect from noise, or to regulate in order to reduce the noise they cause, and (b) not only the sources of noise emission but also the conditions governing noise propagation and reception.

The Programme intends the Commission to make proposals with regard to:

- guidelines for determining quality objectives for certain areas of activity;
- noise measurement methods;
- specifications for noisy products;
- noise-insulation standards;
- permissible noise levels at the work place.

### II. ACHIEVEMENTS

Six Directives have been adopted by the Council. They concern the measurement method for noise emitted by construction plant and equipment and the specifying of limit values and their measurement methods for motor vehicles, motorcycles, agricultural tractors and subsonic aircraft.

Seven other proposals for Directives are being examined by the Council. They concern certain types of construction plant and equipment including pneumatic picks, compressor sets, and motor-mowers. The proposals specify reductions in the maximum graded levels of noise emission and make it compulsory for manufacturers to label products for the user's information and to make it easier for official inspections to be carried out.

A number of proposals for Directives on other noise sources, including earth moving equipment and trains, are being drawn up by the Commission.

.../.

Particular attention is being given to noise in the home. The Commission is preparing a set of proposals for Directives designed to inform the consumer of the acoustic standards of domestic equipment by means of labelling. There is also a draft being prepared with regard to acoustic standards in housing with particular account being taken of noise made by equipment in large blocks of flats (lifts, ventilation fans, etc.).

The Commission has proposed that the Council amend the Directive concerning noise measurement methods for construction plant and equipment in order to take account of the noise emitted at the driving position.

With regard to guidelines for establishing quality objectives, the Commission has launched a study in order to establish objective bases for describing an acoustic environment (standard indicator).

III. DIFFICULTIES

Two types of difficulties became apparent when some proposals for Directives are discussed.

Firstly, there is the problem of access to the Community market for products from non-member countries. Some Member States consider that the Community Directives may have the effect of opening up the Community market to third countries without the necessary counter-concessions.

Secondly, there is the question of harmonization. One Member State is strongly opposed to the total harmonization solution proposed by the Commission. Most of the other Member States share the Commission's view that total harmonization is necessary for Directives concerning noise emission by noisy products.

It should be stressed that there are far too few staff available to carry out the Programme successfully, or for the necessary steps to be taken under the draft Laws put forward by the Member States.

IV. PROSPECTS

The Commission intends to include in its Third Environmental Action Programme the overall approach determining measures that should be taken at the appropriate levels (Community, national, regional or local).

At the same time, the work will be directed towards determining parameters for establishing quality objectives for areas where a particular activity predominates.

.../.

At the same time, measurement methods and methods for assessing the effect of noise will be harmonized in close collaboration with the ISO<sup>1</sup> and the ECAC<sup>2</sup>.

The Commission considers that it will be important to teach and train the public in these matters. Everyone's living conditions could be noticeably improved by measures which cost very little.

---

<sup>1</sup>ISO International Organization for Standardization

<sup>2</sup>ECAC European Civil Aviation Conference

## CHEMICAL PRODUCTS

### I. OBJECTIVES

As the two Environmental Action Programmes of 1973 and 1977 state, protection of man and his environment requires that particular attention be paid to chemical products.

Over the last two years the public authorities have increasingly found themselves faced with difficulties caused by the use of chemical compounds, the effects of which on man and the environment were not, or not sufficiently, tested beforehand.

At the same time, the fact that these risks are assessed in different ways from one Member State to another may result in obstacles prejudicial to the smooth functioning of the common market.

The Action Programmes provide for work to be done either on harmonization of the specifications for certain chemical products or on the composition, purpose and utilisation of products causing pollution.

### II. ACHIEVEMENTS

These Programmes have led to the adoption of Directives which may be divided into three categories:

- Directives establishing Community standards in respect of certain types of chemical product.

These are, in particular, Directives concerning the biodegradability of detergents and Directives on the classification, packaging and labelling of pesticides, solvents, paints and varnishes.

- Directives regulating the use of certain substances and preparations which prove dangerous in individual cases.

This category includes the Directive on limitation of the use and sale of certain dangerous substances and preparations (for example, PCBs, VCM, "Tris"), the Directive on banning the marketing and utilisation of phytopharmaceutical products containing certain active substances and the Council Decision on fluorocarbons.

.../.

- Preventive measures introducing general control procedures. This is the Sixth Amendment to the 1967 Directive on dangerous substances which provides the legal basis for systematic scrutiny of new chemicals before they are marketed. This Directive introduces the principle, accompanied by an appropriate procedure, that the development of a new chemical substance must be accompanied by an assessment of its impact on man and his environment, a criterion which must henceforth carry the same weight as its technical and commercial value.

Generally speaking, these Directives were a satisfactory response to the objectives set by the 1973 and 1977 Programmes for this sector. At the same time, particular attention was given to finding international solutions to the problems caused by the differences between the rules set up in the industrialised countries in respect of environmental policy and international trade in chemical products. The Directives have strengthened the position of the Community in international bodies, particularly the OECD.

Pursuant to the instructions it received from the Council on May 30 1978, the Commission opened negotiations with the relevant American authorities in an attempt to come to an agreement on detailed arrangements for application of the Toxic Substances Control Act to Community products and of Community legislation to American products.

Finally, a Directive is now under discussion by the Council on the risks of major accidents arising from certain industrial activities. This proposal, which the Commission drew up after the accident at Seveso, aims at preventing accidents involving dangerous substances and at limiting the consequences should any such accident occur.

### III. DIFFICULTIES

Among the difficulties encountered, the main one is the lack of staff. This has obliged the Commission to carry out an ad hoc rather than a comprehensive policy. This difficulty has been heightened by the need to take priority action on the notifications by the Member States of regulations they are contemplating, so as to prepare action at Community level.

In future, this shortage of staff will have serious effects on the pace of implementation of the Directives, in particular of the Sixth Amendment to the 1967 Directive on dangerous substances.

In a sector particularly sensitive to the international trading conditions created by the laws of the industrialised countries, shortage of staff makes it impossible to coordinate satisfactorily the positions of the Member States in international bodies and vis-à-vis non-Community countries.

Another difficulty is to be found in the time-lag between the drafting of Regulations and the search by the economic sectors concerned for substitute products which are less dangerous for man and his environment.

It would be better if industry developed substitute products even before Regulations were introduced. It would likewise be desirable if such Regulations were planned in such a way as to avoid excessively harsh economic consequences. To mitigate this difficulty, it would be a good idea to set up machinery for a dialogue and for an exchange of scientific and technical information at Community level between the various sectors concerned.

#### IV. PROSPECTS

The first thing is to put into operation the numerous Laws which have been adopted.

The Commission itself will have to cope with a major administrative task. In the specific instance of the Sixth Amendment to the 1967 Directive on dangerous substances, the Commission will have to deal with obligations the scope of which goes well beyond those which normally devolve upon it in implementing a Directive. In particular, it has to draw up a list of existing substances, define methods of determining the properties of substances, and put together a classification and labelling guide. Furthermore, the Commission will have to act as moderator and conciliator in a field where major economic and commercial interests are at stake.

In addition, the Commission will continue its endeavours aimed at:

- developing preventive measures which more effectively reflect the aims of a consistent environment policy and more easily fit in with economic developments;
- assessing, by means of research work the impact of chemical substances on man and his environment. With the help of the Scientific Advisory Committee for examining the toxicity and ecotoxicity of chemical compounds, which the Commission set up in 1979, the Commission will, where appropriate, propose control measures for the most dangerous substances;

.../.



- stepping up activities likely to produce international agreements on toxic substances, for it is necessary to seek and achieve conditions conducive to reciprocal recognition of test data and, where necessary, of administrative procedures. These activities can be pursued either bilaterally with some countries or within international bodies such as the OECD;
- developing a new form of action recommended by the Council by drawing up, on an experimental basis, "European Conventions on the Quality of Life" for chlorofluorocarbons and asbestos, which could make a contribution to the smooth application of legislation in this sector;
- promoting the search for less pollutant substitute products, in particular by means of economic incentives.

THE PROTECTION AND RATIONAL MANAGEMENT OF LAND,  
THE ENVIRONMENT AND NATURAL RESOURCES

In its Resolution of 17 May 1977 on the continuation and implementation of the Action Programme of the Environment, the Council emphasised that the preventive nature of the environment policy should be strengthened and special attention should be given to the protection and rational management of land, the environment and natural resources.

The most recent Councils of Environment Ministers have taken great pains to restate this aim, and have stressed that the preventive management of natural resources, which are economic assets of increasing importance, and the inclusion of qualitative aspects in the planning and organization of economic and social development are essential conditions for further growth in a period when resources must be used more sparingly.

In order to implement this change of policy which reflects the need to reconcile economic development with environmental protection, the Commission has undertaken work in the following areas:

- A. The Protection and rational management of land;
- B. The protection of fauna and flora;
- C. The protection and management of natural resources.

A. THE PROTECTION AND RATIONAL MANAGEMENT OF LAND

Land in the European Community is a very limited natural resource which is much sought after. To a large extent, land-use planning decisions determine the future quality of the environment, frequently for a considerable number of years. Physical planning is therefore one of the areas where a preventive environment policy will prove very necessary and very beneficial. It is for this reason that most of the Member States have increased their efforts in this field over the last few years.

Work has been going on at Community level in three complementary areas, the first of which is the preparation of an instrument ("ecological mapping") which will make it possible to take the environment more fully into account in physical planning. Developments in the other two will help to identify a policy for the Community with regard firstly to rural areas and forestry and secondly to certain zones where physical planning encounters particular environmental problems.

.../.

## A.1. "ECOLOGICAL MAPPING"

### I. OBJECTIVES

The Programme provides for the development of an "ecological mapping" system in four phases.

Phase one is still in progress and consists in developing a method whereby data and values relating to the natural environment are incorporated into physical planning and economic and social demand is matched as much as possible with ecological supply.

In the succeeding phases, procedures for applying the ecological mapping method will be addressed to the Council in order gradually to create a data base on the state of the environment in the Community.

### II. ACHIEVEMENTS

In collaboration with the agencies concerned in the Member States and after frequent consultation of the many interested bodies in the Community and at international level, the Commission has drawn up a preliminary draft method of ecological mapping, which has been tested in nine case studies in the Member States, and adapted where necessary. A summary report is now being written.

The relevance of remote sensing and data processing to the implementation of this system has been studied.

It should also be noted that the Commission, while avoiding any duplication of effort, has played its role in the discussion of related issues by international organisations, in particular the OECD (the state of the environment) and the ECE (land use).

### III. DIFFICULTIES

The preparation of instruments which can contribute effectively towards the general inclusion on a preventive basis of environmental factors in physical planning means that discussions must be held with various administrative and scientific bodies.

As a result, in order to take the experience of the different parties into account (in particular the Member States and international organizations), the Commission has found itself faced with a particularly complex consultation process which raises considerable problems of coordination.

It seems unlikely that these difficulties, which are bound up with the nature of the problems examined, will be solved in the immediate future.

./.

#### IV. PROSPECTS

In 1981 the Commission will address a draft ecological mapping method together with a proposal on the procedure for its practical application to the Council for adoption.

It now seems that, if the proposed method is adopted by the Council, its application by the Member States will mean that an instrument is available for the continual evaluation of the state of the environment on a Community basis. Highlighting the natural potential of the environment and any ecological imbalances, such an instrument could :

- be useful in orientating Community environment policy and monitoring its implementation. A case in point would be the provision of an overall vector for environmental statistics enabling more detailed information to be integrated and coordinated (e.g. an inventory of wetlands, exchanges of information on the quality of air and water, etc.);
- give rise to specific Community measures (e.g. on the protection of the countryside, on natural risks, on the restoration of declining industrial areas, etc.);
- make it easier to include an environment dimension in Community policies for various sectors (e.g. agricultural, regional and transport policies).

Ecological mapping could also :

- help the Member States to develop consistent and compatible systems for providing information on and evaluating the environment;
- provide given countries or regions in the Community (now or after enlargement) which as yet do not have the appropriate information to enable them to include environmental factors in their physical planning, with a methodological basis which will allow them to develop an information system fulfilling both their own needs and the proposed Community objectives. Talks with the relevant authorities in the candidate countries have shown that there is a great deal of interest in such a measure on their part.

./.

## A.2 RURAL AREAS AND FORESTRY

### I. OBJECTIVES

The Action Programme states that although, through their activities, farmers perform useful functions in conserving the land and landscape, agriculture and forestry also have certain consequences for the natural environment, owing in particular to modern production techniques. It therefore specifies that work will be organized with the following twofold aim in mind : on the one hand, to accentuate the good effects of agriculture and forestry on the environment and on the other to reduce its adverse effects.

To bring this about five series of projects are planned covering pesticides, intensive stock-rearing, mineral fertilizers, rural land use and forests.

It should be possible to prevent and reduce nuisances arising from pesticides by appropriate controls on marketing and use, by developing alternative methods and by monitoring pesticide residues in foodstuffs.

With regard to intensive stock-rearing, two regulations are planned covering the technical and health requirements applicable to the collection and storage of effluent and the technical rules and maximum permissible limits on the spreading of livestock effluent on cultivated land. It is also planned to study the problems caused by the spreading of other types of organic waste.

With regard to mineral fertilizers, studies are planned on the transfer of nutrient elements into watercourses and on the changes that might be needed in farming methods.

The ecological consequences of land development and water engineering projects in agriculture and the possible alternative uses of less-favoured agricultural areas have been examined with a view to making better use of rural areas.

Studies are also planned on the size and composition of forests, involving examining their chief functions and seeking the best ways of reconciling them.

### II. ACHIEVEMENTS

The Council has adopted the Directive prohibiting the placing on the market and use of plant protection products containing certain active substances. With a few exceptions, therefore, the sale and use in the Community of specific pesticides (persistent organochlorine and organomercury compounds) are banned from now on.

The proposal for a Directive concerning the placing of EEC-accepted plant protection products on the market - which was linked to the one mentioned above - is still under discussion within the Council. Still unresolved is the procedure to be followed where there is disagreement on approval.

A study has been carried out and its findings published on the spreading of livestock effluent on cultivated land. Noteworthy among these findings is a method to calculate the permitted amounts which may be spread, accompanied by recommendations on use and an inventory of problem areas as far as livestock effluent is concerned. A joint research programme now being carried out also covers the spreading of livestock effluent on cultivated land.

The Commission is currently carrying out a number of pilot studies to evaluate the environmental impact of major drainage and irrigation projects. The sites chosen are located within areas of Western Ireland and Southern Italy where Community water engineering projects are being carried out with aid from the EAGGF.

The findings of these studies - which are being carried out at the same time as Community rules are being drawn up on impact assessment - will be communicated to the Member States. The Commission will be consulting the Member States on the means of translating these findings into practical action at an early date.

The Commission has also included an environmental protection clause in the context of the new measures to speed up agricultural development in certain less-favoured areas. The development programme to be drawn up pursuant to these measures must carry a guarantee that the action proposed is environmentally acceptable.

The Commission has sent to the Council a Communication on forestry policy. It is aimed at ensuring that any forestry policy is compatible with the main functions that a forest is required to fulfil (timber production, environmental value, recreational use) and that there is consistency between the forestry policies of the Member States. The proposed Resolutions are under consideration within the Council.

The Council has also adopted a Regulation establishing a common measure for forestry in certain Mediterranean zones of the Community. The Regulation aims to improve the protection of the particularly fragile natural environment in the Mediterranean region by a programme of re-forestation and forestry improvement in areas facing particular difficulties concerning erosion and the water economy of soils. This programme is now in the course of implementation. The Commission will ensure that adequate account is taken of the natural hazards concerning water.

The Commission has taken an active part in the work carried out by international organizations, for example the recent Council of Europe Conference of Ministers of the Environment on the environmental compatibility of agricultural activities.

### III. DIFFICULTIES

Over the last two decades agriculture in the Community has had to make a considerable effort to adjust to the pattern of development in other sectors of the economy. The effort made to improve productivity and income has resulted in vast changes in production systems on farms. Under the combined pressure of economic, social and political conditions this process has, to be sure, led to extensive rationalization but also to a markedly increased level of intensification. This has undoubtedly resulted, in a number of cases, in situations which are clearly environmentally unacceptable. Such problems may sometimes be observed and resolved locally.

An additional difficulty that arises is that pollution is often difficult to pinpoint exactly. Farming covers large areas - 60% of the land in the Community - and there are some five million farms. Individual causes of pollution may therefore pass unnoticed, but their effects combine to produce overall repercussions some of which may be felt only on a larger scale.

A strategy more in keeping with this sort of situation must therefore be formulated and implemented. Action is required concerning both individual farms and the machinery for agricultural development on a larger scale. Shortage of staff has obliged the Commission to give priority to activities concerning species conservation rather than to measures in this sector.

### IV. PROSPECTS

Despite the difficulties mentioned above, the outlook is by no means bleak, since environmental protection may be furthered by the very economic constraints which led agriculture to endanger the environment.

There can be little doubt that the increase in input costs, the need to be at one and the same time a very thrifty consumer and an energy producer, and responsibility for essential natural resource conservation functions all prompt agriculture in general and farms in particular to seek new equilibria, in particular by making substantial changes in production systems and technologies.

In this evolving process, farming interests and environmental protection are bound to coincide on many points. It will therefore be possible to pursue sound measures common to these two major Community policies and concentrate prevention and control activities on a small number of situations where there may be conflicting economic interests. Where the Community is concerned, it is ultimately a question of shouldering its responsibilities by ensuring - in all the decisions it is called upon to take - consistency between these two directly interdependent common policies.

./.

### Action at farm level

Significant progress should be achieved by adopting and implementing the Directives relating to the marketing of pesticides but such measures do nothing to solve the problems arising from the conditions in which pesticides are used by the farmers themselves.

On the basis of recent studies and the findings of reports submitted by commissions of enquiry in several Member States, in particular the United Kingdom and the Federal Republic of Germany, the Commission considers that more stringent measures should be taken.

The Commission intends to carry out or continue the following measures :

- to encourage research into and the development and application of integrated crop protection methods resulting in wiser pesticide use;
- to advise farmers on product choice, methods and equipment for applying pesticides and the benefits of integrated protection methods;
- to monitor more closely the methods and equipment used to apply pesticides;
- to restrict the use of products not offering complete environmental safety to specific cases and make them subject to a system of charges.

With regard to intensive stock-rearing, the Commission intends to carry out the following measures:

- to pursue the investigation into effluent treatment methods with a view to drawing up a proposal or a recommendation on their use;
- to subject intensive stock-rearing - beyond a certain level - to environmental impact assessment procedures;
- to promote pilot projects on the redistribution of effluent to bring about an environmentally acceptable use of such effluent on soils.

### Action to counter the repercussions of large-scale agricultural activities

Here emphasis should be placed on preventive measures, aimed at preventing the misuse or intensified use of the soil and other natural resources.



In order to bring this about, use may be made of impact studies, systems to ensure that environmental protection forms part of agricultural development programmes for specific regions and overall guidelines concerning environmental protection. The Commission intends to continue to systematically incorporate the environment dimension as early as the project or programme definition stage rather than have to make corrections just before the implementing decision. Pilot agricultural development projects could be used to develop suitable methods.

Special attention must also be paid to protected and sensitive areas of the environment by ensuring that activities are compatible with the environmental objectives for these zones and by encouraging the development of farming techniques which take account of these objectives. Where necessary, provision should be made for a system of compensation for farmers if the compatible farming techniques referred to cause financial hardship. This approach has already been followed as regards the award of compensatory allowances in small areas in which environmental protection does not enable farmers to overcome existing handicaps.

Finally, in relation to forests, the Commission intends to establish better information on the possible effects on the environment of intensive production and exploitation methods and on the management of the forests, the prime aim of which is not production.

./.

### A.3. URBAN AREAS

#### I. OBJECTIVES

In the paragraphs dealing with urban areas, the Commission stated its intention of putting appropriate proposals to the Council, of organizing a conference on urban problems, of proposing a concerted research action on the growth of large urban concentrations and of reviewing its role in the conservation of the Community's heritage.

#### II. ACHIEVEMENTS

All of these tasks have been completed, with the exception of the first : the Commission considered it necessary to know the outcome of the other action before consulting a panel of national experts on urban problems, with a view to making proposals to the Council.

The Conference on Urban Problems in the European Community, organized in association with the Council of European Municipalities and the International Union of Local Authorities, Liverpool City Council and Merseyside County Council, was held in Liverpool on 6-9 November 1979. It was attended by more than 300 elected representatives of local and regional authorities in the Member States. A final declaration was adopted, which reviewed the present and potential contributions of the Community's environmental, social, employment and regional policies to the solution of urban problems and concluded that :

- Within its policies, the European Community should give major attention to the vitality of the large old industrial urban areas.
- There should be more cooperation and direct contact between the Community and local and regional authorities to find solutions for the problems of such urban areas.
- Resources from the Social Fund and the Regional Development Fund should be made available to pilot projects in those urban areas, the results of which may also be of use to other inner cities and urban areas in the Community.
- IULA and CEM should urbanize and stimulate the exchange of views between those urban areas in the Community, in particular in the form of small study groups on specific problems of the inner areas. The findings of these study groups should be made available to the other cities in the Community.
- IULA and CEM should form a small committee in which they would invite officials of the Commission and officials of local and regional authorities and of the national governments to participate in order to follow up the implementation of the above conclusions. This committee should report before the end of 1980 to IULA and CEM on the implementation of these conclusions.

The Council decided on 7.2.1978 to establish a concerted research action on the growth of large urban concentrations, for a period of two years. 23 research projects in 8 Member States participated in the action. In addition to completing their own research projects, the researchers met regularly in three groups, each of which prepared a substantial report. A comprehensive report on the concerted research action is being prepared and will be circulated to Member States.

The Commission has asked a consultant to examine the Community's role in the conservation of the Community's architectural heritage. His report has recently been received and his recommendations are being studied. A congress on the architectural heritage, organized by Europa Nostra and sponsored by the Commission, the Council of Europe and the Government of Belgium was held in Brussels on 27-29 March 1980.

In the Action Programme the Commission undertook to study indicators of environmental quality. On the basis of previous work in Member States and in international organizations the Commission has developed a draft system of indicators of urban environmental quality. It has been designed to be compatible with and to complement the ecological mapping system. The system will be tested in different cities in the Community, starting with Rouen (France) in 1980. When perfected, the system will be put at the disposal of local authorities in Member States for their own use and, in addition, it could be used to compare environmental quality in the urban zones of the Community.

### III. PROSPECTS

The Commission believes that the primary responsibility for dealing with urban problems lies with local, regional and national authorities. It considers that its role ought to be (1) to study the effects of economic integration and of Community policies on the cities and to take action under its existing powers and resources to reduce negative effects and to multiply positive effects; (2) to aid local, regional and national authorities to discharge their responsibilities, and (3) to promote coordination when necessary of the view of Member States participating in the work of international organizations, such as the Council of Europe, OECD, U.N. Economic Commission for Europe and the U.N. Commission on Human Settlements and to draw conclusions for the Community from the results of work done by these organizations.

More specifically the Commission believes that its action could develop along the following lines :

- Information: monitoring the situation by studies and research, publishing the results;
- Exchange of experience : organizing or assisting exchange of information and experiences between various levels of government in different Member States and between organizations in the private sector also;

- Projects : identification of types of urban improvement and renewal which should be partially financed from Community sources and stimulating public authorities to undertake projects which would qualify for assistance;
- Research, training and techniques : preparation of a second urban research programme is now in progress and a proposal will be submitted to the Council in mid-1980.

A.4. COASTAL AREAS

I. OBJECTIVES

The Programme calls for proposals to be made to the Council to implement principles of integrated coastal planning defined at international level, in particular by the Council of Europe and the OECD, in the Community.

II. ACHIEVEMENTS

The Commission has carried out two case studies in Brittany and Puglia to investigate what problems are involved in the practical implementation of integrated coastal planning principles. An appropriate programme of measures for the Community has been drawn up in the light of the results of these studies. The magnitude of the problems involved has been confirmed and the line taken by the Commission so far endorsed in the talks held by the Commission to check the results of its study.

III. DIFFICULTIES

No particular difficulties have been encountered so far.

The Commission does, however, expect to have the same difficulties in coordinating work in this area as with ecological mapping, which it resembles. Not only are there a large number of bodies which are concerned with protecting our beaches but there are also some which are specifically concerned with protecting the marine environment.

IV. PROSPECTS

Our current work has two future objectives which are to be achieved simultaneously :

- Since the many factors which influence coastal areas are to a large extent interconnected and the Community's environment policy overlaps with other sectoral policies in this area more often than in others, it is essential to have a general strategy within which any future Community measures can be coordinated. This could take the form of a European charter for coastal areas embodied in a Council Resolution in which its financial implications might also be incorporated.
- A number of measures could be taken at Community level to solve problems regarded as having priority.

./.

Two fields have been particularly favoured by the Commission :

- "information acquisition" (e.g. a European data bank on the coastal environment; fostering a European network of research centres);
- "information supply/sensitization" for the groups concerned (e.g. management manuals for environmental impact assessments in coastal areas; or codes of conduct for tourists in Europe, etc.).

A number of Member States are particularly concerned about the problem of coast erosion. It might be necessary to take steps to obtain and make available more information about this problem and to provide Community funding for preventive measures.

## A.5. MOUNTAIN AREAS

### I. OBJECTIVES

The Directive on farming in mountain, hill and certain less-favoured areas cannot on its own directly solve the problems involved in conserving the natural environment of mountain areas. The Action Programme therefore calls on the Commission to examine the various aspects of the problems of mountain areas and, if necessary, to present appropriate proposals to the Council.

### II. ACHIEVEMENTS

The Commission has studied the implications of promoting the integrated development of mountain areas in order to conserve what is a particularly sensitive environment and to satisfy the legitimate aspirations of local people as well as the recreational needs of those from other European regions, particularly urban areas.

A summary report of the work undertaken has been drawn up; it attempts to define a general strategy for the integrated development of mountain areas and to define priority measures to be taken at Community and national level. The report will be published shortly.

### III. DIFFICULTIES

No particular problems have been encountered so far.

### IV. PROSPECTS

A general plan of action should be worked out for mountain areas, as for coastal areas, based on an overall strategy for integrated development. Special attention should be paid to the many functions which the areas concerned have to fulfil from the point of view of the environment, in particular mountain areas not only because of their importance for the local heritage but also because of their influence on the entire catchment area. Similarly, additional development opportunities relating to tourism should be used wisely.

A number of priority measures could be taken concurrently :

- to determine and promote types of farming which are most compatible with conservation of the mountain environment;
- to define the criteria for and to improve the methods of assessing the impact on the mountain environment, e.g. of energy production or transport infrastructure plans or development projects;
- to draw up management manuals for environmental impact assessments (e.g. guide for tourist developments in mountain areas - now being drafted);

- to prevent natural risks in mountain areas;
- to establish a European network of protected areas typical of Europe's mountain terrain, with the Community's financial support;
- to give financial and technical support to international cooperation to promote integrated development.

## A.6. PROTECTED AREAS

### I. OBJECTIVES

The Programme calls on the Commission to give a special place to protected areas in its environmental policy along the lines of its past work and to participate in the related work of international organizations.

### II. ACHIEVEMENTS

The Commission has paid particular attention to protected areas in its work on wild-life conservation, ecological mapping and coastal and mountain areas.

It has also compiled an updated survey of the various types of protected areas in the Member States (reserve, national park, protected landscape, etc) with the assistance of the national departments concerned and international organizations. The survey provided the basis for a common method of classifying protected areas and will be published shortly.

### III. DIFFICULTIES

No particular problems have been encountered so far.

### IV. PROSPECTS

The Commission intends to draw up a proposal to the Council on the use of a common classification of protected areas in the Community to establish a basis of comparison for future Community action in this sector.



B. PROTECTION OF FLORA AND FAUNA

I. OBJECTIVES

The Action Programme draws attention to the fact that flora and fauna are part of mankind's common heritage. They constitute reservoirs of non-renewable genetic material and are elements in an overall ecological balance. The protection and conservation measures must therefore be applied to this natural heritage as a whole and not solely to individual species of plants and animals.

It has been established that the environmental conservation measures taken have, in most cases, had beneficial results for the flora and fauna; in addition, we have to consider the effects of land utilization and spatial planning on the conservation status of endangered species of plant and animal. The steps to protect our heritage should therefore be part of an integrated approach, aimed at conserving the endangered species of flora and fauna and at safeguarding their habitat.

To implement these projects the Commission has been requested to draw largely on the work of international organizations - especially the Council of Europe - and to submit appropriate proposals relating to the different problems involved in protecting the wild fauna and flora and conserving the genetic heritage. More specifically the Programme calls upon the Commission to direct its efforts and proposals towards the protection of birds, the restriction and stringent control of international trade in certain endangered species of wild flora and fauna, the protection of migratory species and of marine and freshwater fauna, the examination of shooting and hunting laws, and the protection of wetlands of international importance.

II. ACHIEVEMENTS

On 2 April 1979, the Council adopted a Directive concerning the protection of the avifauna. This Directive lays down rules for protection of a general nature, restricts the number of species which can be hunted, shot or trapped, or which can be traded in, as well as the methods of hunting, shooting or trapping permitted, it sets out principles of administration for hunting, and rules of a general nature for the Member States concerning habitat conservation.

At the same time, the Council has invited the Commission and the Member States to take certain steps towards preserving biotopes.

At international level, the Community has signed (as have all the Member States) the Convention of the Council of Europe on the Conservation of European Wildlife and Natural Habitats.

The Commission has also participated in negotiations relating to the formulation of an International Convention on the Conservation of Migratory Species, and has succeeded in having inserted therein a clause which grants it the right to accede to the Convention in due course.

The Commission will in the near future submit to the Council a proposal for a Regulation concerning the uniform application throughout the Community of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (Washington Convention). The Commission will furthermore make appropriate proposals for the Community as such to accede to the Convention.

Apart from conservation measures covering species of fish, carried out under the policy on fishing, the Commission has organized major studies of saltwater mammals. At the last Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Flora and Fauna, the Commission supported the proposal from the United Kingdom that all species of cetaceans be covered by this Convention.

In view of the known ineffectiveness of action under the International Whaling Commission - and following a British suggestion - the Commission has proposed a ban on commercial imports of the main whale products, in order to lessen the pressure imposed by commercial interests on the whale population.

This measure will need to be approved by the Council as soon as possible, in order to give the consumers of these products a reasonable period for adjustment. At the same time the Council should ensure that action in this area is coordinated, by empowering the Community as a whole to join the I.W.C. in order to strengthen its conservation measures.

### III. DIFFICULTIES

The launching of this Programme was smooth; the Programme can be expected to achieve its objectives within the proposed time limits.

However, one problem is that only five Member States have ratified the Washington Convention; the resultant failure to apply the Convention uniformly within the Community creates difficulties, both on the administrative side and in respect of the task of conservation itself.

### IV. PROSPECTS

The Commission hopes that certain hesitations which have become apparent as to the scope of the Community's powers - which have hindered the adoption of important and urgent measures - will be overcome in the future.

The implementation of the various measures will mark the achievement of the essential aims of the Action Programme in respect of the protection of the wild fauna and flora.

However, it should be emphasized that it is becoming increasingly clear that it will be possible to avoid the extinction of several species only if greater efforts are made to preserve the habitats of these species; indeed, the scale of the measures to be taken, especially by the Commission, is greater than was originally proposed.

It is therefore on this aspect that future action must be primarily concentrated; it is necessary to identify the requirements - both in terms of the total area needing protection and of the administration of the different zones, and to establish a framework which will guarantee the permanent protection of those biotopes which are considered to be of Community importance.

To achieve this end, the enactment of general rules and the evaluation of the impact of certain developments on the habitat of the endangered species will not suffice. It will also be necessary to have available all the means which can make it possible to cope with the pressures exerted by economic development, including those which arise from Community policies. Such means would be incomplete without the requisite funds.

This fact, as well as the complex patterns of the distribution of powers and responsibilities, foreshadows that soundly-based, effective Community action will encounter certain difficulties. However it appears to the Commission that such action is an essential prerequisite to any attempt to combat the gradual extinction of endangered species, and to put an end to the biological impoverishment of the environment.

The Council may perhaps wish to discuss this fundamental policy.

As far as the protection and maintenance of wild species is concerned, the Directive of April 1979 will be supplemented by the creation and maintenance of a network of sufficiently large protected zones which will be protected and administered under common rules and principles. If this aim is to be achieved, by informing and interesting the public, the Community will doubtless have to introduce legislation and provide funds.

The procedures for assessing the environmental impact of public and private developments must expressly require the examination of their effects on the fauna and flora.

At international level, it will be necessary for the Community and the Member States to ratify as soon as possible the Convention of the Council of Europe and the International Convention on the Conservation of Migratory Species.

The signing by the Community of this Convention will ensure that it comes into force more quickly. In fact the Commission would be able to make an active contribution to the development and achievement of regional agreements covering species of particular interest to the Community itself, especially by reason of its relations with a large number of African and Mediterranean countries.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

./.

C. PROTECTION AND MANAGEMENT OF  
NATURAL RESOURCES

The Action Programme on the environment lays particular emphasis on measures to protect natural resources and to combat wastage. These measures deal with the problems of protecting and managing water resources and with waste management by a comprehensive policy of prevention, reclamation and disposal.

C.1. PROTECTION AND MANAGEMENT OF WATER RESOURCES  
ANTI-WASTAGE MEASURES

I. OBJECTIVES

The Environment Programme calls for a number of studies to be carried out in the field of rational management of water resources aimed at :

- a) improving the use of available resources and identifying potential resources with a view to guaranteeing minimum water supplies in those areas of the Community where there is a permanent or seasonal shortage;
- b) protecting all water-resources - especially those of high quality;
- c) improving the presentation and comparability of statements on available water resources and foreseeable water requirements.

These measures relate essentially to specific problems such as the campaign against wastage of water, the promotion of greater consumer awareness in this field, the recycling and re-use of water, the combined use of all the various types of available water resources, the desalination of sea water, protection of groundwater and improving knowledge about underground water resources, etc.

II. ACHIEVEMENTS

In implementation of this programme, a number of studies have been carried out on the availability of water resources in the Community. These studies have yielded information on :

- the main administrative bodies responsible for water management in each Member State. In the case of France, the investigation also covered smaller units; this enabled a detailed study to be made of regional problems or those specific to water-catchment areas;

- the water resources of each country in an average year;
- the percentage annual increase in demand and the estimated freshwater requirements for the population, agriculture industry and thermal power stations up to the year 2000.

Copies of these studies were sent to the national experts concerned and their findings have formed the basis of a communication which the Commission submitted to the United Nations Conference on Water held in 1977 at Mar del Plata.

Other studies in this field have dealt with the integrated management of water resources.

The drought of 1975/76 - in highlighting the vulnerability of the water supply infrastructure of the Member States - provided a forceful reminder of the need for greater understanding and better use of groundwater resources. It was therefore decided to take specific action to safeguard these supplies and to gain a better understanding of groundwater pollution phenomena.

One recently-terminated project was aimed at providing a comprehensive picture of the European Community's groundwater resources. This involved an evaluation of the resources available under present conditions of abstraction and supply, the areas for potential development and the additional resources needed, all based on an inventory of aquifers, an estimate of their size and the way in which they are replenished. This project can also provide environmental data serving to test the validity of the results obtained from the ecological mapping programme as applied to groundwater. The resultant balance sheet will form the basis of a forthcoming publication by the Commission.

The Community's policy on the protection of groundwater found direct expression with the adoption of the Council Directive on the protection of groundwater against pollution caused by certain dangerous substance.

In preparing this Directive, discussions with experts revealed the need for a better understanding of the measures taken by each Member State regarding the banning or authorization of discharges. Accordingly, the Commission has undertaken a study on the scientific and technical aspects of protected areas and on the technical criteria governing the discharge authorization procedure in the Member States.

Another recently-completed project investigated the ways and means of achieving savings of potable water through reduced consumption in conventional uses and a reduction in the amount of wastage.

One outcome of this project has been the preparation of a specimen brochure for general distribution containing hints and practical ideas to cut down the domestic consumption of water. This brochure is to be published shortly.

./.

III. DIFFICULTIES

Staffing shortages have meant that this part of the programme has had to be carried out by outside consultants. For the same reason, the findings and suggestions put forward in these studies and the campaign to promote the rational management of water resources in the Community have been only partly implemented.

IV. PROSPECTS

Future action will concentrate on the gathering of data to improve the monitoring and achievement of the provisions contained in the Directive on groundwater protection.

To this end, it is planned that the study on the quantitative evaluation of groundwater resources in the European Community should be backed up by a qualitative study on the vulnerability of these waters. The corpus of data will be represented in map form and should help orientate decisions towards a more rational exploitation of groundwater resources and, in addition, highlight the priority areas to be studied in order to increase present knowledge and to promote water management projects eligible for direct Community aid.

C.2 WASTE MANAGEMENT

I. OBJECTIVES

The Action Programme stresses the need for active control of wastes in order to protect the environment against pollution, ensure the sound economic management of resources, make the Community less dependent on imported raw materials and establish the rational long-term management of natural resources.

The Community is directly involved in these measures which have to be carried out at consumer, industry and local and national authority level.

The Programme provides for work to be undertaken on the prevention of waste generation, on recycling and re-use and the harmless disposal of unreclaimed waste.

05	07
12	08
00	10
00	00
10	11
07	15
00	10
11	10
01	06

./.

As regards the prevention of waste generation, a notable provision in the Programme is for studies to be carried out on the possible use of substitute materials, and on encouraging industry to avoid waste and to promote the recovery of raw materials.

With regard to recycling and re-use, the Commission was instructed, taking the opinions of the Waste Management Committee as a guide, to carry out certain studies on economic aspects, organization and recovery, possible administrative measures and information schemes. More particularly, the programme provides for proposals to be submitted on priority waste materials.

Finally, there is provision for the problems arising from the harmless disposal of non-recoverable waste to be examined, especially with regard to certain primary industrial residues, and studies to be done on monitoring the dumping of toxic products.

In short, the purpose of this policy is to try to avoid, or at least reduce, the production of waste, the pollution which it causes, and wastage of energy and raw materials.

## II. ACHIEVEMENTS

The Council has adopted a framework Directive on waste and another on toxic and dangerous wastes. It has also adopted three specific Directives on waste oils, PCBs and PCTs and wastes arising from the titanium dioxide industry.

Proposals being drawn up relate, in particular, to the use of recycled paper, to beverage containers and to the pretreatment of waste oils.

The Commission has also begun other exercises, which are planned for completion in the longer term: the preparation of an inventory and guidelines on clean technologies, taking account, in particular, of work done by the ECE, and preparation of a white paper on energy from waste. Also under investigation are the problems connected with the spreading of sewage sludge, the setting-up of a data bank about waste and the preparation of manuals for waste managers.

The Commission has not been able to make much progress on, or in some cases even begin, the other things in the Action Programme, since it does not have enough staff.

In addition, the Commission is now carrying out two research and development programmes, one concerning the recycling of urban and industrial waste and the other concerning the recycling of paper and board.

### III. DIFFICULTIES

One difficulty has been the lack of impetus from the highest authorities. Solving waste-management problems most often requires large outlays in addition to administrative and economic reorganization. The spending may be considered to be too much, if a view is taken which ignores the fact that economies resulting from the use of recycled raw materials have an important part to play in the medium and long term.

A further difficulty is to decide what level and type of action would be most appropriate in a field where regulations must often provide only a framework, and where even that is sometimes not desirable. Difficulties of this kind result from the diversity and multiplicity of experiments which have been started at very different levels of responsibility and which require a great deal of consultation of all kinds. Such consultation, moreover, is essential if what has already been or is still in the process of being achieved is to be known, reported and discussed; it will, in short, require staff who are currently not available. This is undoubtedly the major difficulty in this area. It is not possible, for instance, for the Waste Management Committee (which the Commission set up in 1976 to help in this sector) to meet twice a year as planned. The staff available cannot formulate proposals to submit to the Committee and at the same time provide secretarial services. Only if regular meetings are held twice a year, however, will the Committee be able to operate usefully, giving its opinion on measures taken or impending and its own view of the Member States' different outlooks, achievements, experience, priorities and legal frameworks. Nor is it possible to extend coordination arrangements relating to the Waste Management Committee and meetings of experts to the industries concerned and to local and regional authorities, highly necessary as this is.

### IV. PROSPECTS

First, a few general facts. The Community currently produces about 1 800 million tonnes a year of waste of all descriptions, or approximately 5 million tonnes a day. Of this, 950 million tonnes are agricultural, 350 million industrial and 90 million municipal in origin. The protection of man and the environment are affected, as is the economy (recycling, investment and the resulting jobs, etc.), to varying degrees. The problems are particularly complex, since, in addition to household waste (which is very varied in composition and in the problems it causes), there are as many types of industrial waste as there are major industries.



In view of the above, it is best to indicate first of all what the prospects are for measures which have already been carried out in certain sectors: exercises to round off what has already been done in respect of waste oil. An important question which has not yet been settled is how waste oil should be re-used - by burning or re-refining. Oil price trends since 1973 have led to a situation where waste oils are increasingly burnt by small producers and holders (garages, etc.) or are sold by the latter to direct consumers. Burning without pretreatment involves large quantities of heavy metals and increases atmospheric pollution. The Commission therefore feels obliged to prepare a proposal for a Directive on the pretreatment of waste oils. Work on toxic and dangerous waste is also in preparation. Much attention is paid in all industrialized countries to problems connected with this waste. At the express request of the Council, the Commission will continue to study concentrations of toxic and dangerous substances, review the list of these substances and endeavour to find practical solutions to the problems together with the parties concerned.

Certain Member States, where concentrations of these substances provide the only basis for legislation, are running into difficulties. A more pragmatic approach would enable them, for instance, subject to certain conditions to mix a number of toxic and dangerous wastes with domestic refuse and should therefore be considered.

The rules for identifying and transporting these wastes need to be extended.

Finally, a proposal for a Directive should be drawn up which will define conditions for the tipping of waste of this type. This would enable man and the environment to receive better protection and the role of treatment centres vis-à-vis tipping to be better understood.

With regard to waste paper, the Commission will put forward initially a recommendation designed to encourage the consumption of recycled paper by the public services, which can thus help to set an example. Thereafter, from 1981 onwards, and depending on the results of the necessary studies, it will take measures where appropriate which are designed to restrict contaminants in waste paper in view of the resulting problems during recycling.

As to packaging, the Commission has carried out studies on several containers. A proposal for a Directive will set out the objectives for the Member States with regard to increasing the utilization of beverage containers either by simply re-using them or, failing this, by recycling. Certain provisions of a general nature will also encourage standardization.

Regarding the utilization of waste in farming, a proposal governing the spreading of sludge is being prepared, which will concern soil enrichment and protection (classification problems caused by the heavy metal content, for instance, and the purpose for which sludge is used). A proposal on compost is to be drawn up at a later stage.

C.3. CLEAN OR LOW-POLLUTING TECHNOLOGIES

I. OBJECTIVES

The Programme plans "to work out technical or other measures which could reduce, eliminate or prevent the pollutant emissions or nuisances stemming from each of the polluting industries". Moreover, during its meetings of 18 December 1978 and 9 April 1979, the Council paid particular attention to the preventive aspect of environmental policy. Clean technologies were given particular emphasis, in particular in three complementary objectives:

- to cause less pollution i.e. discharge fewer effluents into the natural environment;
- to produce less waste by means of technologies with little or no waste;
- to use natural resources more sparingly (water, energy, raw materials in particular).

At its meeting of 9 April 1979 the Council invited the Commission to carry out a survey of the principle sectors concerned, in cooperation with national authorities and representatives of industry. This survey should make it possible to determine the types of measure to be taken, and more generally, to study the potential for developing an exchange of scientific and technical information.

II. ACHIEVEMENTS

Following the guidelines in the Programme, the Commission has taken a number of steps. One of them is to include "clean" industrial technologies as a topic in the environment research and development programmes, revised at a Council meeting on 9 October 1979. A call for submissions for this project was published in the Official Journal of 2 November 1979.

In conjunction with the Dutch Ministry of Health and the Environment, the Commission is also organizing a European Symposium on Clean Technologies, to be held in November this year. The Commission is expecting an extensive exchange of technical and economic information on this occasion.

The chief purpose of the Symposium will be to review the technical problems involved in clean technologies in industry and their economic impact, and to point up the state of the art in the Community and in the other industrialized countries. It would thus be possible to determine how new procedures should be developed to reduce or eliminate pollution, produce less waste and make better use of natural resources.

There have as yet been no Regulations directly related to the promotion of clean technologies. However, a number of provisions do at present facilitate development. This concerns, in particular, the Directive of 15 July 1975 on waste.

### III. PROSPECTS

The Commission intends to find out how many Action Programmes are being carried out in the clean technology field by the various Member States, and to compare them. The results of this analysis will be forwarded to, and discussed with, the representatives responsible for promoting the concept. This step will make it possible to improve the effectiveness of the national programmes, if only because the various countries' efforts would be better coordinated, and their regulations and proposed financial incentives harmonized to a greater extent.

The Commission considers that it would be more effective at first to concentrate efforts on a limited number of industrial sectors which could serve as pilot schemes. Once the clean technologies applicable to these sectors have been identified, it will be necessary to determine how important technical, economic, financial or institutional barriers are in preventing them from being promoted; then, at a second stage, various possible means of action will have to be defined and compared. The Member States could be assisted in extending and coordinating their "Clean Technologies" Action Programmes in the pilot sectors.

At the same time, the Community Action Programme can be extended on the basis of specific experiments. In order to have test cases to hand, the Commission intends studying the agri-foodstuff, metal surface treatment and cement industries.

The choice of pilot sectors could be made according to the following criteria:

- sectors discharging pollutants which are on the Community's black list;
- sectors producing large amounts of waste, where clean technologies could be applied;
- sectors obliged to make short-term investments to combat pollution.

Other criteria to be taken into account could be whether or not the industry is fragmented, and/or covered by a number of national programmes, whether it needs to renew or increase its production capacity, and what are the quality and quantity of resources used.

In order to guarantee as extensive an exchange of information as possible and more effective coordination of Member States' guidelines with regard to clean technologies, the Commission intends to carry out this work under a Working Party on Clean Technologies bringing together national experts.

./.

## GENERAL ACTION

The Environment Programme includes general action on the environment covering environmental impact assessments, economic aspects, dissemination of information relating to environmental protection, promotion of awareness of environmental issues, training, and measures to ensure compliance with legislation.

## ENVIRONMENTAL IMPACT ASSESSMENT

### I. OBJECTIVES

The Programme states that the application at the appropriate administrative levels of environmental impact assessments is a practical expression of the objectives and principles of a Community environment policy. The Commission is called upon to undertake whatever studies are necessary to determine whether and to what extent the laws and regulations of the Member States need to be harmonized and whether this is necessary at Community level. The Commission will present appropriate proposals to the Council in the light of the results of the studies undertaken.

### II. ACHIEVEMENTS

The Commission has carried out a number of studies and held talks with the administrative and industrial circles concerned to analyse the legal, administrative, technical and economic problems of introducing environmental impact assessments (EIA) into national administrative systems.

This preparatory work has convinced the Commission that rational management of the environment makes it ultimately essential to assess any of man's activities which might have a significant impact on the environment, e.g. public or private development projects, land-use planning, regional development planning, economic planning, new products, new technologies and practically all legislation. However, it is also convinced that Community action in this area should concentrate on the introduction of EIAs for new industrial, infrastructure or agricultural projects.

It is at this level that effects are most easily detected, methods have been satisfactorily developed and above all that national laws are too divergent and may have direct repercussions on investors' decisions and hence on the proper functioning of the common market.

Environmental impact assessment can be introduced into administrative authorization and approval procedures at this level without creating new ones because they are fairly similar.

The Council held a general policy debate on the Commission's work, of which it had received a full report, at its meeting on 9 April 1979. It was generally agreed that the various forms of environmental impact studies which already existed or were being considered in the Member States should be developed as a preventive environment policy instrument. The Council called upon the Commission, in the light of the results of its studies, to submit proposals which took due account of the ideas put forward in the policy debate.

The Commission will shortly be presenting its proposals in the form of a Directive laying down a number of common principles for environmental impact assessment in the administrative procedures which are used by the Member States for the authorization or approval of private and public development projects which may have significant effects on the environment.

### III. PROSPECTS

The adoption of this Directive will be an important step towards the achievement of a preventive environment policy the aim of which is to give an environment dimension to economic decisions and thus ensure harmonious economic development.

Far from encumbering or protracting administrative procedures the proposals put forward, which are experimental and gradualist, should help to streamline them while making them more transparent. Greater transparency should help to improve the public's acceptance of investments now subject to hold-ups.

The Commission will only consider whether it should make proposals to apply EIAs more widely in the light of practical experience of them on actual projects.

## ECONOMIC IMPLICATIONS OF ENVIRONMENTAL PROTECTION

### I. OBJECTIVES

As indicated in the Community Action Programme on the environment it has been recognized that environmental protection is required in order to reduce the substantial and rising costs society has been bearing as a result of economic and industrial development causing increased pollution and environmental degradation.

In relation to general economic policy considerations the requirements for environmental improvement can be appraised as being as important as such economic variables as inflation, unemployment and the balance of payments, which all limit the choice of action for economic policy decision making. In particular, environment policy has already had a certain impact on the development of industrial structures, and this impact can be expected to be even more important in the future.

The main issue for environmental policy is possibly to identify how far to extend environmental regulations in relation to the corresponding costs. The objective is to reduce so-called external costs created by economic activities, which are not paid for directly through the production process. It is clear that external costs can be reduced and their burden redistributed by legislation and the price mechanism. But external costs cannot be entirely eliminated, since this would eliminate also most economic activity.

### II. ACHIEVEMENTS

In the absence of public action, the full costs to society of industrial production are not reflected in the prices of goods since society rather than the producer bears the costs of environmental degradation. Environmental regulations are a means to "internalize" these costs, by requiring producers to bear the costs of pollution abatement and improved use of natural resources. As prices change to reflect these costs, consumers can be expected to shift their purchases to relatively less expensive goods which are produced with, for example, lower pollution abatement costs. Hence, more low pollution and fewer high pollution products will be produced. As a result, less pollution will be created, fewer resources will be required for pollution abatement and more resources will be available for meeting society's demands for other goods and services.

This way of using the market forces to create new industrial structures compatible with environmental matters and consumer protection requirements is the essential objective of the "Polluter Pays Principle". This principle was adopted by the Council of Ministers on 3 March 1975 as a basic principle for the environment policy in the Community and in the Member States.

### III. DIFFICULTIES

The main difficulties we are faced with in this respect can thus be summarized as:

- on the one hand the cost of improving the environment can usually be measured, but
- on the other hand, the value of the benefits is more often difficult to measure.

Consequently, assessing the priority for environmental measures has become an essentially political process, in which the one fixed point may be that at the margin the cost of further improvements in the environment rises faster than the corresponding benefits.

Experience during the 1970s has confirmed that a Community environment policy has proved necessary and is therefore to be considered an integral and complementary part of Community industrial economic policy, and not a conflicting or contradictory measure for industrial and economic development.

### IV. PROSPECTS

In view of past results and the issues it is presently faced with, the Commission, in accordance with the guidelines given in Chapter 9 of the Action Programme of 22 November 1973, will give priority to the following areas of work concerning the relationship between industrial and economic development and environmental policy during 1980 and following years:

1. evaluation of costs and benefits from environmental protection and improvement measures;
2. proposals for the development of environmental policy instruments of an economic nature.

ad 1) Studies on pollution control costs and benefits are expected to become available both from Commission sources and from studies on pollution control costs undertaken in the Member States in accordance with the 1978 Council recommendation concerning methods for evaluating the costs of pollution control to industry.

The Commission considers that the process of reallocating society's economic resources in order to create an improved industrial structure compatible with environmental, health and consumers' protection requirements may in the short term have adverse as well as positive impacts on the economy. By using the available cost studies and by undertaking new studies the Commission believes that these impacts can be better identified before new policy measures are introduced. In particular the Commission wants to be able to identify the possibility for increased growth and employment in:



- (a) industries producing pollution abatement equipment and services;
- (b) industries using less polluting technologies, renewable or recyclable natural resources or making more efficient use of natural resources.

The Commission is also concerned about identifying other positive impacts at the macroeconomic level such as

- (a) productivity increases where environmental regulations stimulate technological developments (e.g. less polluting industries using natural resources more efficiently);
- (b) increases in the average level of productivity in some industries as environmental regulations result in the closing of plants that are inefficient in their use of natural resources.

ad 2) The development of environmental policy instruments of an economic nature includes such measures as:

- (a) State aids;
- (b) use of Community funds;
- (c) use of pollution charges.

The Commission is presently considering extending the existing Community framework allowing the granting of State aids for environmental protection investments according to its 1974 Communication to the Member States on the subject. The existing system to expire on 31.12.80 allows for the granting of aids to investments in existing plant in order to ensure fast implementation of new environmental protection measures in industry.

The use of Community funds for environmental protection is already possible both in the form of grants and loans from existing Community financial instruments. But in several situations this is not considered adequate. Following proposals from the European Parliament, the Commission will very soon present proposals for a regulation to introduce a new Community Environmental Financial Instrument. Actions benefiting from this new Community instrument will include:

1. Expenditure for facilitating the implementation of Community environmental protection legislation;
2. Aids in favour of developing less polluting technologies consuming less natural resources;
3. Actions for environmental protection and nature conservation;
4. Actions for environmental protection in relation to major new economic developments.

The purpose of pollution charges is to encourage the polluter to take the necessary measures to reduce pollution as cheaply as possible and/or to let the polluter pay the share of the costs of collective measures for pollution prevention.

Charges may be levied on the load of contaminants released into the environment by a discharger. Effluent charges are levied in France and The Netherlands and are planned for the Federal Republic of Germany and Italy. These charges relate to the effluent load (or concentration) discharged by industry or municipalities to waterways or the sea and the funds are used to provide finance for treatment facilities and other environmental improvement and services. There are at present no taxes levied on emissions of air pollutants.

The Commission realizes that there are both advantages and disadvantages connected with pollution charging systems.

In general, the advantages of pollution charges are:

- if set at the correct level, charges should provide an incentive for the discharger to reduce his discharge (and, under some schemes, he will receive a grant towards the cost of any abatement measures);
- the polluter pays to 'use' the environment to dispose of his wastes; his payments may then be used to form a 'fund' to assist others to install treatment or to assist the authorities to pay for other environmental projects.

The disadvantages are:

- that such schemes may be costly to operate unless the necessary controls and the mechanisms for collecting charges are already in place.

Furthermore, the effects on industry of introducing charging schemes have not yet been fully clarified. The Commission is, however, concerned about the existence of and the possibility of further introduction of water pollution charging schemes in the Member States which are too different from each other. Such a situation is not ideal for the proper functioning of the common market. The Commission is also concerned to avoid the introduction of too different national charging schemes for types of pollution other than water pollution.

Pollution charges are already envisaged in the context of the common transport policy. They make up part of the costs which according to the Commission's proposal should be paid by users of transport infrastructure. More specifically the draft directive on the adjustment of national taxation systems for commercial vehicles adopted in principle by the Council in 1980, provides for the possibility of environmental charges being levied on heavy goods vehicles.

It might be of interest if the Council would exchange views on this subject.

## DISSEMINATION OF INFORMATION

### I. OBJECTIVES

The Environmental Action Programme emphasized the need to coordinate at Community level present endeavours in the Community to set up machinery to provide the scientific, technical and economic information necessary for Environmental Protection Programmes to be carried out. The Commission was therefore given the following priority tasks:

- making an inventory of all sources of information on environment matters in the Community (documentation services, specialist centres and independent experts, research projects);
- carrying out studies with a view to setting up a coordinated body of information services;
- setting up an information system on environmental legislation;
- analysing the possibility of setting up and operating an information system on pollution-control technology;
- creating an information system on conferences of environmental interest;
- evaluating the ECDIN pilot project carried out under the research programme.

### II. ACHIEVEMENTS

The pilot edition of the inventory of documentation and information centres concerned with environmental matters published in 1978 was well received (over 550 copies sold). The final version will be available on magnetic tape next April and publication is due in June.

A list of research projects has been drawn up and is available on magnetic tape. It contains 10 000 sources of information and the part covering research on solid waste is to be published in the very near future. The Community's contribution to INFOTERRA, the International Reference System set up under UNEP, is made regularly from this list. Technical cooperation with those running INFOTERRA is highly productive.

The list of specialist centres and independent experts has not been drawn up, despite the Council Decision of 8 December 1975.

The Commission has had a guide compiled for users of bibliographic data banks on environmental topics, giving practical information on them in order to encourage their use. The guide is now being published.

On 8 February 1980 the Commission invited a number of Community bodies to tender for the preparation of an Information System on Environmental Legislation. Submissions are to reach the Commission not later than 9 June 1980.

Work on the network for providing information on anti-pollution technology has not been started. Also, as regards the system for providing information on environment conferences, the national experts consulted on the subject advised the Commission against setting up a specialized system for environmental matters.

Work on evaluating the ECDIN pilot project has not yet begun.

### III. DIFFICULTIES AND PROSPECTS

The Commission has found that the Member States give a low priority to work relating to the dissemination of information.

The Commission would draw the attention of the Member States to the importance of the administrative body charged with gathering and checking the information which will be contained in the inventories mentioned above. Certain Member States lack such administrative structures; in others there are difficulties due to want of resources.

It would be very much easier to compile and update these inventories if the responsibilities and remits of the competent national bodies were clearly defined.

Before embarking on any new projects, the Commission will make every effort to draw up the inventory of specialist centres and independent experts and the survey of laws.

## PROMOTION OF AWARENESS OF ENVIRONMENTAL PROBLEMS AND EDUCATION

---

### I. OBJECTIVES

The success of an environment policy presupposes that all categories of the population and all the social forces of the Community become aware of its importance and help to protect and improve the environment. This implies a campaign to promote awareness and to educate.

The Action Programme therefore called upon the Commission to continue with the activities carried out since 1973 namely:

- periodically publishing reports on the state of the environment in the Community;
- preparing educational brochures for teachers;
- Community support for university activities;
- cooperating with non-governmental organizations.

The Commission was also asked to start a new project of publishing popularized editions of reports of studies, to set up a network for the exchange of information on experience gained in pilot primary schools, to take steps to make the general public more aware of the need to protect the environment, to provide specific information and to issue environment stickers.

### II. ACHIEVEMENTS

In February 1977 the Commission set up a network of pilot primary schools teaching environment as a subject. The aim of the network is to extend the number of schools in which the subject is taught, to cooperate in improving methods of teaching about the environment and to make generally available the experience gained by the schools. A further aim is for the schools to gather, try out and disseminate educational material on the environment for use in other schools in their own country. There are now 25 schools taking part in the pilot project and the first results have been published.

The Commission's training scheme was also aimed at people in the professions and at university staff and took the form of support for further training (conferences, seminars, scholarships) and the type of summer course intended to provide scientists and engineers with an overall view of the problems connected with pollution.

There were various operations aimed at providing the general public and interested circles with more information. The First and Second Reports on the State of the Environment were published in 1977 and 1979; the Third Report will be published in 1980.

There was also further close cooperation with the non-governmental organizations belonging to the European Environment Bureau. Studies, reports and popularized editions of papers on the Communities' environmental activities have been published and sent to many bodies connected with environmental matters. Support was given to the creation of environment training centres and contributions made to national and international teaching and information projects (seminars, workshops, etc.).

Other large-scale publicity projects (European stamps representing different aspects of the quality of life, mobile exhibition units) have had to be abandoned as they were too expensive. Because of the limited means available the Commission has not yet been able to commence work on environment stickers.

### III. PROBLEMS AND PROSPECTS

The schools project is undoubtedly the biggest and most effective project undertaken by the Commission in connection with teaching on environmental matters. It is an excellent example of European cooperation, even if the success is partly due to the concept of environment not yet having a fixed place in the curricula of schools in the Member States.

The difficulties encountered in administering and extending the network of schools are essentially financial. They could be resolved by adding a specific budget heading with sufficient funds.

Once the experiment has reached an advanced operational level, the competent authorities in the Member States should take over national coordination (which is in any case the second aim of the project), while the Community would continue to look after the European aspect of the experiment. It is also intended that the experiment should be extended to secondary schools and vocational training colleges.

The Commission's policy on informing the public and making it more aware of environmental matters has not been as well organized as it might have wished. This is partly due to the very modest funds allocated.

From this it follows that the Community's action, although well received, is necessarily only partial and inadequate. Clearly, the Community can only refine and improve the quality of the information available but it cannot create information.

The Commission's information policy on environmental problems could definitely be more incisive and effective if it went hand in hand with action by national authorities which reflected Community-level action more closely.

It would also be desirable for the national authorities - in parallel with discussions in the Council relating to the adoption of new regulations - to undertake projects to make specialist circles more aware of the problems. The Commission would provide assistance on the Community aspect of such projects.

-----

## IMPLEMENTATION OF DIRECTIVES

### I. OBJECTIVES

The implementation of the Directives is monitored in order to check that Member States are introducing the laws, regulations and administrative provisions necessary to comply within the given time-limits with the various Directives adopted by the Council.

To this end, the Commission examines the essential provisions of national law sent in by the Member States and where necessary initiates the procedure provided for in Article 169 of the EEC Treaty.

### II. ACHIEVEMENTS

Apart from the Directives on motor vehicles which were adopted by the Council as part of the General Programme to remove technical barriers to trade in industrial products, eight environment Directives were to have been embodied in national law by 1 February 1980.

These include two Directives on water quality (surface water intended for the abstraction of drinking water and bathing water), four Directives on wastes (waste oils, wastes, PCBs, waste from the titanium dioxide industry) and two Directives on atmospheric pollution (the sulphur content of gas oils and the lead content of petrol).

After checking the implementation of these eight Directives, the Commission served thirty-three notices, published nineteen reasoned Opinions and brought one case before the Court of Justice.

Progress in implementing these Directives varies considerably from one Member State to another. Three Member States have complied completely or almost completely with the obligations imposed upon them by the provisions of these Directives. Four Member States have not enacted all of them, although they are in the process of doing so. Finally, two Member States have yet to begin implementation.

### III. DIFFICULTIES AND PROSPECTS

There are different reasons for delays in enacting the Directives; they may be institutional, administrative or technical.

Belgium is in the throes of institutional reform involving the transfer of responsibilities from the State to the regions, among them responsibility for various aspects of the environment. Political difficulties in carrying through this regionalization have generally had the effect of delaying the implementation of environment Directives.

In Italy, Parliament has to be involved in enacting Directives. Further problems have arisen because each time Parliament is dissolved, draft legislation is rendered null and void and the whole procedure has to begin again.

The Commission has already made these two Member States aware of the need to bring their laws into line as quickly as possible. The Belgian Ministry of the Environment has asked the Commission for one year's grace (until December 1980) to give Belgium time to enact these Directives. The Italian Government has submitted a draft Law to Parliament authorizing the Government to pass regulations to implement eighty Directives, including the environment Directives.

Other Member States, like Ireland and Luxembourg, have set up new administrative structures combining the responsibilities previously assigned to other ministries. Framework legislation has been worked out after carrying out surveys to accurately define the extent of the problems to be solved. This reorganization and the fact that only modest sums were allocated for it were the main reasons for the delays in enacting Directives.

Although the United Kingdom has generally passed its laws in good time as far as England and Wales are concerned, the corresponding laws relating to Scotland and Northern Ireland were late reaching the Commission.

Lastly, the main reason why the Netherlands was late in enacting Community environment legislation is its practice of passing very extensive framework legislation and then implementing the various parts of it gradually.

To sum up, the Commission finds the Member States very willing to apply environment Directives. It is pleased to note that there are close links between the Commission departments and the national authorities in order to monitor implementation. It would nevertheless like to see Member States sending in their draft legislation earlier so that it has sufficient time to check that it complies with the Community Directives.



TEXTS ADOPTED BY THE COUNCIL OR THE COMMISSION

CONCERNING ENVIRONMENTAL MATTERS

Position on 1 February 1980

TABLE OF CONTENTS

ANNEX 2

Page

Texts adopted by the Council or the Commission concerning  
environmental matters - Position on 1 February 1980

I. General texts	1
II. Water pollution	5
III. Air pollution	10
IV. Noise pollution	13
V. Waste	16
VI. Chemical products	20
VII. Protection and management of the environment, land and natural resources	22

I. GENERAL TEXTS

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
-	Declaration of the Council of the European Communities and of the Representatives of the Governments of the Member States meeting in the Council on the Action Programme of the European Communities on the environment.	22.11.73	22.11.73	OJ C 112 20.12.73	To lay down the objectives and principles of a Community environment policy. To describe measures to be taken to reduce pollution and nuisance and to improve the environment.
-	Resolution of the Council of the European Communities and of the Representatives of the Governments of the Member States meeting in the Council on the continuation and implementation of a European Community policy and Action Programme on the environment.	17.5.77	17.5.77	OJ C 139 13.6.77	To restate the policy objectives and principles. To describe measures to be undertaken to reduce pollution and nuisance protect and manage land, the natural environment and resources, and improve the environment.
-	Agreement of the Representatives of the Governments of the Member States meeting in the Council on information for the Commission and for the Member States with a view to possible harmonization throughout the Communities of urgent measures concerning the protection of the environment.	5.3.73	5.3.73	OJ C 9 15.3.73	To inform the Commission and the other Member States of draft environmental legislation. To enable the Commission to extend the scope of the intended measure to the rest of the Community, in certain conditions.
-	Agreement of the Representatives of the Governments of the Member States of the European Communities meeting in the Council of 15 July 1974 supplementing the Agreement of 5 March 1973 on information for the Commission and for the Member States with a view to a possible harmonization throughout the Communities of urgent measures concerning the protection of the environment.	15.7.74	15.7.74	OJ C 86 20.7.74	To elaborate on the previous Agreement.
	Resolution on energy and the environment.	3.3.75	3.3.75	OJ C 168 25.7.75	To set out an Action Programme with regard to thermal discharges, sulphur dioxide and nitrogen oxides.

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
75/436/ Euratom, ECSC, EEC	Council Recommendation of cost allocation and action by public authorities on environmental matters.	3.3.75	3.3.75	OJ L 194 25.7.75	To set out in detail the procedures for applying the Polluter Pays Principle, and to provide for some exceptions which may be made to this principle.
1365/75	Regulation on the creation of a European Foundation for the Improvement of Living and Working Conditions.	26.5.75	26.5.75	OJ L 139 30.5.75	To create a Foundation for the Improvement of Living and Working Conditions, to specify its tasks, its working bodies and the administrative and budgetary procedures relating to it.
-	Resolution concerning a revised list of second-category pollutants to be studied as part of the Action Programme of the European Communities on the environment.	24.6.75	24.6.75	OJ C 168 25.7.75	To complete the Action Programme by listing second-category pollutants which should be assessed in terms of risks to human health and the environment.
-	Resolution on the adaptation to technical progress of Directives or other Community rules on the protection and improvement of the environment.	15.7.75	15.7.75	OJ C 168 25.7.75	To adopt as a solution in principle the establishment of committees on adaptation to technical progress responsible for revising certain provisions of Community Directives or Regulations. To define the operating conditions of these committees.
76/161/EEC	Decision establishing a common procedure for the setting up and constant updating of an inventory of sources of information on the environment in the EEC.	8.12.75	8.12.75	OJ L 31 5.2.76	To define procedures for creating and updating three inventories: (a) documentation centres and services (b) specialist centres and independent experts (c) research projects.
79/3/EEC	Council Recommendation to the Member States regarding methods of evaluating the cost of pollution control to industry.	9.12.78	9.12.78	OJ L 5 9.1.79	To define the principles and methods to be followed by the Member States in assessing the cost of pollution control to industry.

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
	Community approach to State aids in environmental matters. (Commission Memorandum to the Member States)	7.11.74	7.11.74		To inform the Member States of the general criteria that the Commission will apply in assessing whether or not existing or planned State aid is compatible with the provisions of the Treaty.

II. WATER POLLUTION

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
75/440/EEC	Directive concerning the quality required of surface water intended for the abstraction of drinking water in the Member States.	16.6.75	18.6.77	OJ L 194 25.7.75	To define the quality requirements for surface fresh water used for or intended for the abstraction of drinking water. Provision of plans to clean up water.  To define the requirements with which the quality measurements must comply.
75/437/EEC	Decision concluding the Convention for the Prevention of Marine Pollution from Land-based Sources.	3.3.75		OJ L 194 25.7.75	Ratification by the Community of the Paris Convention for the Prevention of Marine Pollution from Land-based Sources.
75/438/EEC	Decision concerning Community participation in the Interim Commission established on the bases of Resolution No III of the Convention for the Prevention of Marine Pollution from Land-based Sources.	3.3.75		OJ L 194 25.7.75	To authorize the Commission to represent the Community in the Interim Commission responsible for administering the Paris Convention.
	Resolution on the Convention for the Prevention of Marine Pollution from Land-based Sources.	3.3.75	-	OJ C 168 25.7.75	To invite the Member States to sign the Paris Convention.
76/160/EEC	Directive concerning the quality of bathing water.	8.12.75	10.12.77	OJ L 31 5.2.76	To define the quality requirements for bathing water.  To define the sampling frequency, the measuring methods and the requirements with which these measurements must comply. To lay down the conditions in which this quality is to be achieved.



No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
76/51/EEC	Recommendation* to the Member States invited to attend the intergovernmental meeting in Barcelona.	19.12.75	-	OJ L 9 16.1.76	To ensure that the Protocol on the prevention of Marine Pollution from Land-based Sources is modelled on the provisions of the Paris Convention.
76/164/EEC	Directive on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community.	4.5.76	4.5.78	OJ L 129 18.5.76	To provide a system of authorizations for the discharge of dangerous substances into water. To provide limit values or quality objectives and monitoring procedure for List I substances. To provide quality objectives for List II substances. To adopt anti-pollution programmes for both types of substance and communicate them to the Commission. To draw up a list of discharges involving List I substances.
77/585/EEC	Decision concluding the Convention for the Protection of the Mediterranean Sea against Pollution and the Protocol for the Prevention of the Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft.	25.7.77		OJ L 240 19.9.77	Conclusion by the Community of the Barcelona Convention and its First Protocol.
77/586/EEC	Decision concluding the Convention for the Protection of the Rhine against Chemical Pollution and an Additional Agreement to the Agreement, signed in Berne on 29.4.1963, concerning the International Commission for the Protection of the Rhine against Pollution.	25.7.77		OJ L 240 19.9.77	Conclusion by the Community of the Bonn Convention.

\* Commission Act.

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
77/795/EEC	Decision establishing a common procedure for the exchange of information on the quality of surface fresh water in the Community.	12.12.77	12.12.77	OJ L 334 24.12.77	To designate a coordinating body. To designate the stations taking part in the exchange of information. To define the parameters to be measured. To provide for the publication of a summary report.
-	Resolution setting up an Action Programme of the European Communities on the control and reduction of pollution caused by hydrocarbons discharged at sea.	26.6.78	26.6.78	OJ C 162 8.7.78	To lay down a six-point study programme to be carried out by the Commission to determine the gaps to be filled in this sector by means of measures at Community level.
78/659/EEC	Directive on the quality of fresh waters needing protection or improvement in order to support fish life.	18.7.78	20.7.80	OJ L 222 14.8.78	To lay down the quality requirements for waters intended to support fish life. To lay down sampling frequency, measuring methods and the requirements with which the measurements must comply. To lay down the conditions in which this quality is to be achieved.
79/869/EEC	Directive concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States.	9.10.79	9.10.81	OJ L 271 29.10.79	To lay down reference measuring methods for the parameters contained in Directive 75/440/EEC and sampling frequencies. To lay down the requirements with which these measurements must comply.
79/923/EEC	Directive on the quality required of shellfish waters.	30.10.79	30.10.81	OJ L 281 10.11 79	To lay down the quality requirements for shellfish waters. To lay down the sampling frequencies, measuring methods and the requirements with which these measurements must comply. To lay down the conditions in which this quality is to be achieved.

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
80/68/EEC	Directive on the protection of groundwater against pollution caused by certain dangerous substances.	17.12.79	19.12.81	OJ L 20 26.1.80	<p>To prevent the discharge of List I substances and restrict that of List II substances.</p> <p>To set up a system of authorizations and lay down the conditions for derogations.</p> <p>To prepare an inventory of discharge authorizations granted.</p>

III. AIR POLLUTION

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
70/220/EEC	Directive relating to measures to be taken against air pollution by gases from positive ignition engines of motor vehicles.	20.3.70	1.10.71	OJ L 76 6.4.70	To lay down requirements relating to the type approval of motor vehicles.
74/290/EEC	Amendments: First	28.5.74	1.10.74	OJ L 159 15.6.74	To define specifications for acceptance tests.
77/102/EEC	Second*	30.11.76	1.1.77	OJ L 32 3.2.77	To fix permissible values for carbon monoxide, hydrocarbon fuels and nitrogen oxides and determine materials, conditions and methods for use in measuring levels of these substances.
78/665/EEC	Third*	14.7.78	1.1.79	OJ L 223 14.8.78	
72/306/EEC	Directive on measures to be taken against emissions of pollutants from diesel engines for use in motor vehicles.	2.8.72	10.2.74	OJ L 190 20.8.72	To lay down requirements relating to the type approval of diesel motor vehicles.
	Amendment			OJ L 215 6.8.74	To define standards for acceptance tests. To fix permissible values for fumes, and determine materials, conditions and methods for measuring levels of the fumes.
75/441/EEC	Decision establishing a common procedure for the exchange of information between the surveillance and monitoring networks based on data relating to atmospheric pollution caused by certain compounds and suspended particulates.	24.6.75	-	OJ L 194 25.7.75	To set up a procedure for exchanging information between the Member States' measuring stations. To nominate a coordinating body. To arrange for the publication of a summary report.

\* Adopted by the Commission.

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
75/716/EEC	Directive relating to the sulphur content of certain liquid fuels.	24.11.75	26.8.76	OJ L 307 27.11.75	To define two types of gas oil. To provide for a reduction in the sulphur content of these gas oils in two stages. To provide for exemptions where appropriate. To provide for spot checks on the sulphur content of the fuels.
77/537/EEC	Directive relating to measures to be taken against the emission of pollutants from diesel engines for use in wheeled agricultural forestry tractors.	28.6.77	30.12.78	OJ L 220 29.8.77	To lay down requirements relating to the type approval of such vehicles. To fix permissible values for the fumes and determine materials, conditions and methods for measuring levels of the fumes.
78/611/EEC	Directive concerning the lead content of petrol.	29.6.78	5.1.80	OJ L 197 22.7.78	To fix the lead content of super grade petrol at 0.4 g/l. To lay down a reference measuring method. To provide for Ireland to be exempted. To provide for other exemptions where appropriate.
	Decision authorizing the Community to sign the Convention on Long-range Transboundary Air Pollution.	15.10.79	-	-	See title.

IV. NOISE POLLUTION

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
70/157/EEC 7	Directive relating to the permissible sound level and the exhaust system of motor vehicles	6.2.70	10.8.71	OJ L 42 23.2.70	To fix the permissible limits for the sound level, the equipment, conditions and methods for measuring this level.
73/350/EEC 7	Adaptation	7.11.73	1.3.74	OJ L 321 22.11.73	To prescribe measures for exhaust systems.
77/212/EEC 7	Amendment	8.3.77	1.4.77	OJ L 66 12.3.77	
74/151/EEC 7	Directive relating to certain parts and characteristics of wheeled agricultural or forestry tractors.	4.3.74	7.4.75	OJ L 84 28.3.74	To fix the permissible limits for the sound level, the equipment, conditions and methods for measuring this level.
77/311/EEC	Directive relating to the driver-perceived noise level of wheeled agricultural or forestry tractors.	29.3.77	1.10.79	OJ L 105 28.4.77	To fix the permissible limits for the sound level, the equipment, conditions and methods for measuring this level.
78/1015/EEC	Directive relating to the permissible sound level and exhaust system of motorcycles.	23.11.78	1.10.80	OJ L 349 13.12.78	To fix the permissible limits for the sound level, the equipment, conditions and methods for measuring this level.  To prescribe measures for exhaust systems.
79/113/EEC	Directive relating to the determination of the noise emission of construction plant and equipment.	19.12.78	21.6.80	OJ L 33 8.2.79	To define the sound level for construction plant and equipment. To define the criteria to use for expressing results, equipment and conditions for carrying out measurements, and calculation method.



No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
80/51/EEC	Directive relating to the limitation of noise emissions from subsonic aircraft.	20.12.79	21.6.80	OJ L 18 24.1.80	To make it compulsory for the Member States to apply Annex 16 to the Chicago Convention on Subsonic Aircraft.  To establish mutual recognition of validity certificates.  To determine exemptions.

V. WASTE

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into forcé		
75/439/EEC	Directive on the disposal of waste oils.	16.6.75	18.6.77	OJ L 194 25.7.75	To determine the arrangements to be made for the collection and harmless disposal of waste oils. To recommend that waste oils be re-used. To provide a system of authorizations for firms responsible for collection and disposal. To provide a register of waste oils.
75/442/EEC	Directive on waste.	15.7.75	18.7.77	OJ L 194 25.7.75	To encourage the prevention and recycling of waste. To determine the arrangements to be made for the harmless disposal of waste. To provide administrative provisions for management and control. To provide a system of authorizations for firms responsible for collection, recycling or disposal.
76/403/EEC	Directive on the disposal of polychlorinated biphenyls and polychlorinated terphenyls.	6.4.76	9.4.78	OJ L 108 26.4.76	To prohibit their discharge, discarding and unsupervised dumping. To make the harmless disposal of used PCBs compulsory. To promote the reclamation of PCBs. To provide a system of authorizations for firms responsible for the disposal of PCBs.

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
76/431/EEC	Decision* setting up a Committee on Waste Management.	21.4.76	1.5.76	OJ L 115 1.5.76	To set up the Committee. To define its terms of reference, composition and rules of procedure.
76/912/EEC	Decision* appointing the members of the Committee on Waste Management.	23.12.76	23.12.76	OJ L 354 24.12.76	To appoint the members of the WMC.
78/176/EEC	Directive on waste from the titanium dioxide industry.	20.2.78	22.2.79	OJ L 54 25.2.78	To promote the prevention and recycling of such waste. To ensure its harmless disposal. To provide a system of authorizations for disposal operations. To lay down provisions governing immersion, discharge, storage and dumping. To enact provisions for monitoring long-established industries and to provide decontamination programmes with possible exceptions for new industries. To provide a system of authorization which will include a preliminary impact assessment. To determine the information to be notified to the Commission.
78/319/EEC	Directive on toxic and dangerous wastes.  * Commission Act.	20.3.78	22.3.80	OJ L 84 31.3.78	To promote the prevention and recycling of such wastes. To lay down the arrangements to be made for its harmless disposal. To provide administrative measures for management and control.

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
					<p>To provide for a system of authorization for firms responsible for its collection, recycling and disposal.</p> <p>To provide for disposal programmes, which shall be notified to the Commission, and for exemptions. To draw up registers of the waste.</p>

VI. CHEMICAL PRODUCTS

No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
-	Resolution on fluorocarbons in the environment.	30.5.78	30.5.78	OJ C 133 7.6.78	To limit the production of CFCs in the Community. To encourage the search for substitute products. To promote the elimination of CFCs.
78/618/EEC	Decision* setting up a Scientific Advisory Committee to examine the toxicity and ecotoxicity of chemical compounds.	28.6.78	28.6.78	OJ L 198 22.7.78	To set up such a Committee. To establish its terms of reference and its composition. To define its method of working.
79/831/EEC	Directive amending for the sixth time Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances.	18.9.79	19.9.81	OJ L 259 15.10.79	To provide for a system of notification before placing any new chemical substance on the market. To provide administrative measures for managing and monitoring such notifications. To provide procedures for informing the Commission and the Member States. To define rules of confidentiality. To instruct the Commission to draw up an inventory of substances already on the market. To combine in one Directive the provisions of Directive 67/548 and its five subsequent amendments.

\* Commission Act.

VII. PROTECTION AND MANAGEMENT OF THE ENVIRONMENT,

LAND AND NATURAL RESOURCES



No	TITLE	DATE		OJ No	PURPOSE
		adopted	brought into force		
75/65/EEC	Recommendation to Member States concerning the protection of the architectural and natural heritage.	20.12.74	-	OJ L 21 28.1.75	To recommend that the Member States sign and ratify swiftly the Convention on the World Cultural and Natural Heritage.
75/66/EEC	Recommendation to Member States concerning the protection of birds and their habitats.	20.12.74	-	OJ L 21 28.1.75	To recommend that the Member States accede to the Convention of Ramsar on the Conservation of Wetlands and the Convention of Paris for the Protection of Birds.
78/150/EEC	Decision adopting an EEC concerted research project on the growth of large urban concentrations.	7.2.78	16.2.78	OJ L 45 16.2.78	To adopt a two-year concerted research project. To lay down the conditions concerning management and financing of the project.
79/409/EEC	Directive on the conservation of wild birds.	2.4.79	6.4.81	OJ L 103 25.4.79	To define the measures to be taken to maintain the populations of all wild species at an appropriate level. To provide special conservation measures for some species. To impose a general ban on marketing.
	Decision authorizing the Community to sign the Convention on the Conservation of European Wildlife and the Natural Environment. (Convention of Strasbourg)	18.9.79	-	-	See title.

\* Commission Act.