

COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMISSION REPORT

on the implementation of Council Regulation (EEC) No 2242/87
on action by the Community relating to the environment

REPORT ON THE IMPLEMENTATION OF COUNCIL REGULATION (EEC) No 2242/87
ON ACTION BY THE COMMUNITY RELATING TO THE ENVIRONMENT¹

1. Pursuant to Article 12 of Council Regulation (EEC) No 2242/87, the Commission hereby submits the annual report on the implementation of this Regulation to Parliament, the Council and the Economic and Social Committee.

The Commission's report of 20 July 1989² covered the period from 30 July 1987, the date the Regulation entered into force, to 31 December 1988. This report follows on from that and covers the year of 1989.

2. During this period, implementation of the Regulation was restricted to the fields covered by Article 1(1)(a) and (b) on the one hand (clean technologies, techniques for recycling and reusing waste) and Article 1(1)(e) on the other (biotopes).

Article 1(1)(c) and (d) (techniques for locating and restoring contaminated sites, methods for measuring and monitoring the quality of the environment) was implemented in the form of an invitation to submit projects.

The Commission received no eligible requests for financial support for projects covered by Article 1(1)(f) (soils) (the two requests it did receive were not of Community interest).

3. The Advisory Committee referred to in Article 4 met separately on 16 January and 30 May to discuss Article 1(1)(a), (b), (c) and (d) items and on 9 March to discuss Article 1(e) (biotopes) items.

4. CLEAN TECHNOLOGIES AND TECHNIQUES FOR RECYCLING AND REUSING WASTE

4.1 On 16 January 1989 the Commission consulted the Advisory Committee on financial support for a second list of twelve demonstration projects concerning clean technologies and techniques for recycling and reusing waste submitted in response to an invitation to submit projects published on 30 March 1988³ and on the preparation of an invitation to submit applications for financial support for demonstration projects concerning techniques for restoring contaminated sites and methods for monitoring the quality of the environment.

4.2 On 30 May 1989, after the Committee had given a favourable opinion, the Commission took a Decision⁴ to grant financial support totalling approximately ECU 2.678 million for the twelve projects covered by Article 1(1)(a) or (b). The proposer of two of these projects reported that he would not be able to carry them out because the financial support offered was inadequate. The proposer of a third project was forced to decline Community financial support.

1 OJ No L 207, 29.7.1987, p. 8.

2 Doc. SEC(89)1240 final.

3 OJ No C 82, 30.3.1988, p. 3.

4 Doc. C(89)537.

4.3 No Member State invoked the procedure provided for in Article 5(2) of the Regulation in respect of these projects.

4.4 The nine projects receiving financial support from the Community are listed in Annex I.

4.5 A call for tenders for a contract as consultant for the monitoring and supervision of 22 demonstration projects covered by Article 1(1)(a) and (b) was published.⁵ In all, 44 tenders were assessed. The final choice was approved by a Commission Decision of 8 December 1989.⁶

5. TECHNIQUES FOR LOCATING AND RESTORING CONTAMINATED SITES AND METHODS FOR MEASURING AND MONITORING THE QUALITY OF THE ENVIRONMENT

5.1 On 30 May 1989, the Committee was consulted once again on the proposal for a text for the new invitation to submit proposals for demonstration projects in the areas covered by Article 1(1)(c) and (d) of the Regulation.

5.2 The invitation was published on 14 July 1989.⁷ It gives detailed information on conditions of eligibility and selection and on financial aspects and procedures to be followed in this area of Community action and specifies the fields covered. The time-limit for submitting proposals was four months, up to 14 November 1989.

5.3 In reply to the invitation the Commission received 116 proposals representing a total of approximately ECU 391 million. From the outset 21 of these proposals (18%) were rejected either because they fell outside the specific scope of the invitation or because they did not comply with the procedure.

Of the 95 proposals eligible for financial support, 34 (29%) were covered by Article 1(1)(c) (techniques for locating and restoring contaminated sites) and 61 (53%) by Article 1(1)(d) (methods for monitoring the quality of the environment). The total amount of these applications is approximately ECU 364 million.

5.4 The 95 applications accepted are being assessed by the Commission with the help of independent scientific experts. A list of projects will be proposed for financial support from the 1990 and 1991 budgets.

Table 1 gives a breakdown of project proposals by country.

5 OJ No C 179, 15.7.1989, p. 15.

6 Doc. SEC(89)1987.

7 OJ No C 178, 14.7.1989, p. 9.

TABLE 1: Invitation to submit proposals of 14 July 1989 - breakdown of applications

Member State	Proposals		Eligible applications	
	Number	Total cost (in ECU)	Number	Total cost (in ECU)
Belgium	7	14 287 051	7	14 287 051
Denmark	8	11 114 612	8	11 114 612
Germany	38	289 745 798	24	276 978 014
Greece	4	1 762 286	4	1 762 286
Spain	4	4 091 210	4	4 091 210
France	6	3 851 319	5	3 706 734
Ireland	3	806 105	3	806 105
Italy	15	19 651 277	14	18 441 224
Luxembourg	-	-	-	-
Netherlands	13	13 384 337	12	12 897 058
Portugal	3	2 797 562	3	2 797 562
United Kingdom	15	29 865 885	11	17 408 036
TOTAL	116	391 357 442	95	364 289 892

6. BIOTOPES

6.1 The Advisory Committee met on 9 March 1989. It gave a favourable opinion on the granting of financial support to ten projects which carry on from three existing projects and have been given top priority because of the importance of the area and the need for urgent action. Four applications for a total amount of ECU 3 876 000 were withdrawn by the Member States concerned.

6.2 On the basis of the opinions expressed by the Advisory Committee in 1988 and 1989, the Commission, by Decisions taken on 22 March, 18 July and 3 November 1989⁸ approved the granting of Community financial support totalling ECU 4 451 million for the 13 projects listed in Annex II.

No Member State invoked the procedure provided for in Article 5.2 of the Regulation in respect of any of these projects.

6.3 In accordance with the opinion expressed by the Advisory Committee, the Commission also decided to grant additional financial support totalling ECU 102 000 to projects No 85/02-3 "Maîtrise foncière dans le marais de Lavours", No 86/12-1 "Recuperação e gestão dos bitópos lagunares no distrito de Sétubal" and No 86/03-1 "Gestione dell'oasi per la fauna Valle dell'Avorto" by a Decision on 24 November 1989.⁹

6.4 In a whole series of cases concerning application of the former Regulation, it was necessary to extend deadlines for implementation of projects by a considerable margin, although the financial requirements remain the same. On 7 December 1989 the Commission adopted a decision¹⁰ to extend the deadline for seven projects.

8 Doc. C(89)426, C(89)1222 and C(89)1769.

9 Doc. C(89)1867.

10 Doc. C(89)2018.

6.5 During 1989 the Member States sent the Commission 12 new applications eligible for financial support under Article (1)(e) totalling approximately ECU 8.2 million (see Table 2) in addition to those already submitted previously, which it had not yet been possible to support because there were insufficient budgetary resources available.

TABLE 2: New applications submitted in 1989

<u>Member State</u>	<u>Number</u>	<u>Total cost (in ECU)</u>
Belgium	-	
Denmark	-	
Germany	-	
Greece	1	285 000
Spain	-	
France	8	5 031 000
Ireland	-	
Italy	1	1 650 000
Luxembourg	-	
Netherlands	1	870 000
Portugal	-	
United Kingdom	1	370 000
TOTAL	12	8 206 000

In the same way as the applications submitted previously, these applications were assessed by the Commission according to standard criteria with the help of independent scientific experts.

7. CONCLUSIONS

7.1 After more than two years of implementing Regulation No 2242/87, the ACE scheme has become an extremely important instrument, not only for the implementation of Community environment policy, but also for the achievement of national policy objectives. This emerges from the considerable interest on the part of companies to participate in the "Techniques" section and the major efforts by public bodies and NGOs to submit biotope projects.

7.2 There is still a fundamental, pressing need for Community action on the environment and for Community financial support that exceeds by far the appropriation deemed necessary by the Regulation and made available in the Community budget.

The conclusions formulated in the previous report are still just as valid.

7.3 Article 13(2) of the Regulation states that before the end of the third year of the application period, i.e. before the end of July 1990, the Council, acting unanimously on a proposal from the Commission, shall decide whether to amend this Regulation.

When applying the ACE Regulations, a distinction (in terms of different procedures for making and assessing applications, different meetings and composition of the Advisory Committee and different forms for Commission decisions on financial support) has always been made between demonstration projects (areas (a) to (d)) and projects providing an incentive (areas (e) and (f)).

For this reason, the Commission proposes that the present ACE Regulation be replaced by separate regulations when its period of application expires.

7.4 The first of these regulations has been proposed by the Commission in May 1990 and provides for actions by the Community relating to nature conservation (ACNAT) (11). It will continue the biotopes part of the present ACE regulation and, in addition, takes account of discussions held in the different institutions of the European Community on the proposal for a Council Directive on the protection of natural and semi-natural habitats and of wild fauna and flora (12).

7.5 A second regulation should make it possible to reinforce the policy guidelines outlined in the Community strategy for waste management adopted by the Commission on 18 September 1989 (13) and to take into account additional measures. The Commission will therefore propose this regulation as soon as future national instruments at present under discussion in this field will be known, and the European Parliament will have finished its present discussion on a wider environmental fund.

11 OJ C 137, 6.6.1990, p.6
12 OJ C 247, 21.9.1988, p.3
13 Doc. SEC(89) 934 final

Commission communication pursuant to Article 11
of Council Regulation (EEC) No 2242/87

From January till December 1989, the Community has granted financial support to the following projects under Council Regulation (EEC) No 2242/87 of 23 July 1987 on action by the Community relating to the environment ⁽¹⁾

a) the 9 demonstration projects listed in Annex I pursuant to Article 1, 1. (a) and (b) of the Regulation on the basis of the Commission Decision of 30 May 1989 ⁽²⁾,

b) the 13 projects providing an incentive listed in Annex II pursuant to Article 1, 1. (e) of the Regulation on the basis of the Commission Decisions of 22 March, 18 July and 3 November 1989 ⁽³⁾

⁽¹⁾ OJ No L 207, 29.7.1987, p. 8

⁽²⁾ Doc. C (89) 537

⁽³⁾ Dec. C (89) 426, C (89) 1222, C (89) 1769

ANNEX I

Project N°	Title	Member State concerned	Duration (months)	Communit financial support (1000 ECU)
ACE88/IT/013/B11	Recuperation of heavy metals (zinc, lead) contained in dust arising from steel works.	Italy	15 months	234
ACE88/FR/007/A52	Tangential microfiltration to reduce cadmium emission.	France	12 months	97
ACE88/NL/001/A21	Wetblue project - purification process reducing salt, chromium and organic residues in waste waters from tanneries and slaughterhouses.	Netherlands	30 months	453
ACE88/NL/005/A43	Bleaching of wood-containing waste paper.	Netherlands	24 months	45
ACE88/UK/002/A21	Reduction of chromium consumption in the tanning industry.	United-Kingdom	30 months	69
ACE88/BE/001/A43	Processing of sludge from paper mills.	Belgium	19 months	337
ACE88/DE/007/B51	Recovery of pigments, binding agents and solvents in paintshops.	Germany	18 months	292
ACE88/FR/016/B21	Reduction of the fluorine concentration in waste waters from chemical treatment operations.	France	24 months	253
ACE88/IT/009/B51	Utilization of waste organic solvents in lime production.	Italy	6 months	117

ANNEX II

Project		Application	Implementa-	Community
No	Title	submitted to the Commission by	tion period	financial support (in ECU '000)
2242/88/02-5	Managing farming and grazing in the marshes along the shores of Charente	France	9/1988-12/1991	142
2242/88/02-8	Safeguarding the habitats of <u>Hieraaetus fasciatus</u> in the Midi region of France	France	1/1989-12/1992	300
2242/88/56-1	Protecting valley floors in the Belgo-Luxembourg Ardennes	Belgium Luxembourg	7/1988-12/1991	600
2242/86/07-10	Protection of Duich Moss	United Kingdom	1/1989-6/1991	100
2242/87/10-01	Programme to manage the Messolonghi wetlands	Greece	4/1989-12/1991	385
2242/88/02-11	Protecting and managing the Fouras marshes	France	1/1989-12/1991	103
2242/88/03-3469	Protecting severely threatened biotopes in the Abruzzi	Italy	1/1989-12/1990	779
2242/88/07-03	Emergency measures to protect <u>Sterna dougallii</u> nesting sites in the European Community	United Kingdom	1/1989-12/1991	153
2242/88/02-14	Protection and management of biotopes of <u>Tertrao urogallus</u> in the Vosges	France	1/1989-12/1991	173
2242/88/07-05	Preliminary management of Abernethy Forest Estate	United Kingdom	1/1989-12/1990	214
2242/88/11-12	Protection of inland wetlands in the province of Cadiz	Spain	1/1989-12/1992	342
2242/88/12-1	Protection of biotopes in the Serra da Malcata	Portugal	7/1989-12/1991	760
2242/89/02-1	Protection and management of the Crau Plain, preliminary phase	France	4/1989-12/1990	400

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DOCUMENTS

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