

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

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1121st meeting of the Council

- Environment -

Brussels, 24/25 November 1986

President: Mr William WALDEGRAVE  
Minister for Environment  
Countryside and Planning  
of the United Kingdom

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mrs Miet SMET State Secretary for the Environment

Denmark:

Mr Christian CHRISTENSEN Minister for the Environment and  
Minister for Nordic Affairs

Mr Mogens BUNDGAARD-NIELSEN State Secretary,  
Ministry of the Environment

Germany:

Mr Walter WALLMANN Federal Minister for the Environment

Greece:

Mr Evangelos KOULOUMBIS Minister of Public Works, Regional  
Planning and the Environment

Spain:

Mr Javier SAENZ COSCULLUELA Minister for the Public Works and  
Town Planning

France:

Mr Alain CARIGNON Minister attached to the Minister  
for Infrastructure, Housing, Town  
and Country Planning and Transport,  
with responsibility for the Environment

Ireland:

Mr John BOLAND Minister for the Environment

Italy:

Mr Francesco de LORENZO Minister for Ecology

Luxembourg:

Mr Robert KRIEPS

Minister for the Environment

Netherlands:

Mr E.H.T.M. NIJPELS

Minister for Housing,  
Planning and the Environment

Portugal:

Mr Carlos PIMENTA

State Secretary for the Environment  
and Natural Resources

United Kingdom:

M. William WALDEGRAVE

Minister for Environment,  
Countryside and Planning

Lord SKELMERSDALE

Under Secretary of State for  
the Environment

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Commission:

Mr Stanley CLINTON-DAVIS

Member

## ASBESTOS

The Council reached a common position on a draft Directive on the protection of environment pollution by asbestos.

It is recalled that asbestos is already covered by a number of Community Directives on the management of toxic and dangerous waste, on the combating of air pollution from industrial plant, and, more specifically, on limit values for asbestos air pollution designed to protect workers at work places.

The present proposal is complementary to existing Community legislation, and aims at preventing or reducing emissions from all sources which result in pollution of the environment in general (air, water, soil) and ultimately in a risk for human health. It will apply in particular to activities which involve the production of raw asbestos, the manufacturing and industrial finishing of a number of products using raw asbestos, activities which are liable to release asbestos into the environment, and the transport or deposition of asbestos waste.

The Council will return to this matter with a view to adopting the Directive after the Opinion of the European Parliament has been received.

## NOISE LEVELS OF MOTORCYCLES

The Council reached agreement on all substantive issues concerning the Directive relating to the permissible sound levels and exhaust systems of motorcycles.

Under the terms of this agreement, the maximum permissible levels will be reduced in two stages to the following levels:

Category of motorcycle	Maximum permissible sound level in dB(A)	
	Stage I	Stage II
Under 80 cc	77	75
80 - 175 cc	79	77
Over 175 cc	82	80

As regards the larger and smaller categories of motorcycles:

- the Stage I limits will come into force on 1 October 1988 for new type approvals and will be extended to all new motorcycles on 1 October 1990;
- the Stage II limits will come into force on 1 October 1993 for new type approvals and will be extended to all new motorcycles on 1 October 1995.

As regards the middle category of motorcycles:

- the Stage I limits will enter into force on 1 October 1989 for new type approvals and will extend to all new motorcycles on 1 October 1990;
- the Stage II limits will enter into force at the end of 1994, unless the Council before that date, acting on a possible proposal from the Commission, decides on another date.

The formal adoption of this Directive will take place after legal and linguistic finalization of the texts.

## DISPOSAL OF WASTE OILS

The Council reached agreement on the amending Directive on the disposal of waste oils.

The purpose of this Directive is to strengthen the provisions of the existing Directive (75/439/EEC). The major new features introduced are the following:

### 1. Combustion of waste oils

- (a) Plant above 3 MW will be subject to Community emission limits.
- (b) Plant below 3 MW will be subject to national controls, these measures being subject to review by the Council after five years.
- (c) Member States may introduce a system for the prior control of pollutants contained in waste oils, as a means of ensuring observance of the limit values.

### 2. Regeneration of waste oils

The regeneration of waste oils must respect certain conditions for the protection of the environment.

### 3. PCB/PCT

The levels of PCB/PCT's permitted in waste oils shall be significantly reduced compared to existing Community law.

### 4. More severe measures

Member States may take more severe measures than those provided for in the Directive as long as these are in accordance with the provisions of the Treaty.

Such measures could consist, for example, of more stringent limit values for combustion, or a ban on combustion.

The Council will proceed to the formal adoption of this Directive after the texts have been finalized in the languages of the Community.

#### SULPHUR CONTENT OF CERTAIN LIQUID FUELS (GAS OIL)

The Council made considerable progress towards agreement on the draft Directive amending Directive 75/716/EEC on the approximation of the laws of the Member States relating to the sulphur content of certain liquid fuels (gas oil).

It invited the Permanent Representatives Committee to work towards agreement on the outstanding questions in order to enable the Directive to be adopted as soon as possible.

#### LIMITATION OF EMISSIONS FROM LARGE COMBUSTION PLANTS

The Council, on the basis of proposals prepared by the Presidency, continued its discussions on the proposal for a Directive on the limitation of emissions of pollutants into the air from large combustion plants.

At the close of its discussion it concluded that, while the proposal contained features which would enable progress to be made, they needed further examination. It accordingly instructed the Permanent Representatives Committee to continue its examination of the draft Directive in preparation for its next meeting.

## VEHICLE EMISSIONS

The Council noted that Danish and Greek reservations persisted concerning the solution reached in Luxembourg in June 1985 on the draft Directive on gaseous emissions from private cars.

The Council then had a wide-ranging debate on the basis of a compromise from the Presidency on particulate emissions from private diesel cars and on gaseous emissions from heavy commercial vehicles. Having noted progress, especially on the latter, the Council instructed the Permanent Representatives Committee to continue its examination on the basis of today's discussion in preparation of the next meeting early in the Belgian Presidency.

Finally, the Council took note of the Commission's intention to bring forward proposals concerning the fixing of Community-wide speed limits, and endorsed a German memorandum concerning an invitation to the Commission to propose the option of eliminating leaded normal petrol from the market.

## COMMUNITY FOURTH ACTION PROGRAMME (1987-1992)

The Council approved the following Resolution which will be adopted at a later stage, after legal and linguistic finalization of the text:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposals of the Commission,



Whereas it is desirable that a new Community environmental action programme should follow on from the third action programme (1982-1986);

WELCOMES the submission by the Commission of detailed proposals for a Fourth Environmental Action Programme and considers that such a programme provides an opportunity to strengthen decisively Community action on the environment, building on the achievements of the past, and to determine a coherent framework within which specific Community actions can be formulated, co-ordinated and implemented over the period 1987 to 1992.

RECALLS in this connection that the Single European Act, which will constitute a new legal basis for the Community's environment policy, provides that Community actions in this field should have as their objectives:

- to preserve, protect and improve the quality of the environment,
- to contribute towards protecting human health,
- to ensure a prudent and rational utilisation of natural resources;

RECOGNIZES that, if these objectives are to be achieved, it will be necessary to take action to combat pollution whenever it may occur, while ensuring that preventive measures in one part of the environment do not produce damaging effects in another; and to take measures to protect and enhance Europe's natural heritage;

REAFFIRMS furthermore its conviction that environmental protection has to become an essential component of the economic, industrial, agricultural and social policies implemented by the Community and its Member States; and acknowledges that it can contribute to better economic growth and help create jobs;

UNDERLINES in particular the need for environmental education and training and for greater public awareness of, and public participation in, environmental issues, recalling that these are central themes of the European Year of the Environment 1987;

STRESSES the importance of ensuring that measures adopted are implemented in the most effective manner, and that both existing and proposed activities are subject to regular evaluation, taking particular account of the potential benefits and costs of action or lack of action;

CALLS UPON the European Parliament and the Economic and Social Committee to furnish their opinions on the Commission proposals as a matter of priority;

UNDERTAKES to consider further the Commission proposals with a view to identifying, if possible before 30 June 1987, guidelines and priorities for strengthening Community action in favour of the environment."

CHLOROFLUOROCARBONS IN THE ENVIRONMENT (CFCs)

The Council:

- took note of the Commission's communication on chlorofluorocarbons in the environment and in particular its conclusions relating to existing Community policies and possible future measures;
- approved guidelines on the basis of which the Commission will participate on behalf of the Community in the forthcoming negotiations (Geneva, 1-5 December 1986) on a protocol on CFCs to the Vienna Convention on the protection of the ozone layer.

### NUCLEAR SAFETY

The Council had an exchange of views on the environmental aspects of nuclear safety.

The Council agreed on the primordial importance of protecting the public and the environment from harm through nuclear radiation both as a result of normal operations and in the circumstances of an accident.

The Council agreed that, in addition to work in the IAEA, the Community, which is already bound by the Euratom Treaty and which will shortly be bound by new EEC Treaty commitments on the subject of environmental protection, and which has acted as a pacemaker on international co-operation on transboundary environmental issues, has an important and complementary role to play, whilst avoiding unnecessary duplication of effort.

The Council noted that in the light of today's discussion, the Commission will come forward soon with precise proposals for the protection of the public and the environment from the harmful effects of nuclear radiation. It agreed that such proposals should be considered as a matter of urgency.

### POLLUTION OF THE RHINE

The Council welcomed the speed with which the Governments concerned have reacted to combat the effects of pollution of the Rhine due to recent industrial accidents and to improve the protection of the Rhine against such pollution in the future.

The Council underlined that the key elements to be pursued in a bilateral Community, or multilateral framework, in achieving better environmental protection of the Rhine and other major waterways affecting the Community should be the following:

- improvement of the system for alarm and information in case of accidental discharges;
- closer harmonization of legislation governing the handling of dangerous chemicals;
- prompt clean-up, restoration and equitable compensation and liability arrangements for pollution damage by those who originated it.

The Council recalled, in this connection, that the Community is leading the way in the prevention and limitation of the consequences of accidents, notably having regard to the Directive on major industrial accident hazards (Directive 82/501/EEC).

The Council invited the Commission:

1. to review present Community preventive and remedial measures including the extent of their implementation, and if necessary to present appropriate proposals;
2. to examine the possibility of negotiating bilateral or multi-lateral agreements with European third countries on the extension of Directive 82/501/EEC and Decision 81/971/EEC (Decision instituting a Community information system for the control and reduction of pollution caused by the spillage of hydrocarbons at sea.)

MISCELLANEOUS DECISIONS

Other decisions in the environment sector  
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The Council adopted a package of measures designed to introduce tight controls throughout the Community on the use of animals in experiments. These measures include, in particular, a Directive on the approximation of the laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes. This Directive contains certain important elements which will provide additional safeguards for the protection of animals. In particular, the rules contained in the Directive provide for:

- the prior notification and authorization of all experiments
- the prohibition of experiments on endangered species
- provisions for avoiding the infliction of pain and suffering
- the elimination of unnecessary duplication of tests
- the use of alternative test methods wherever possible.

The Council also approved a Resolution under which Member States undertake to apply measures no less severe than those of the Directive in the case of any experiments falling outside the scope of the Directive, a Decision authorizing the Community's signature of the Council of Europe Convention and a Resolution requesting Member States who had not yet done so to sign the Council of Europe Convention.

The Council also adopted, in the official languages of the Communities, the Decision establishing a common procedure for the exchange of information on the quality of surface fresh water in the Community (see press release 7623/86 (Presse 92) 1087th Environment Council dated 12/13 June 1986).

Brussels 21 November 1986

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NOTE BIO (86) 320 AUX BUREAUX NATIONAUX  
CC AUX MEMBRES DU SERVICE DU PORTE-PAROLE

ENVIRONMENT COUNCIL, NOVEMBER 24 1986 (preparation) M. BERENDT

This one-day Council has a long agenda which includes a number of issues of fundamental importance to the Community's environment policy. The most important is power station emissions, but there will also be discussions on motor vehicle exhausts and motorcycle noise. Ministers will be looking at nuclear safety questions for the first time since the Commission's post-Chernobyl communications and at the problems of Rhine pollution.

#### Power station emissions

Various different formulae are now on the table for reducing the level of emissions of sulphur dioxide, nitrogen oxides and smoke from power stations, including the Commission's original proposals which envisaged a 60 per cent reduction in SO<sub>2</sub> between 1980 and 1995, Dutch proposals put forward during the summer and the British Presidency's compromise proposals. The timetable of reductions and the way in which the burden should be shared among Member States will be central negotiating issues, as well the standards to be applied to new power stations. The Presidency compromise envisages a two-stage approach for reducing emissions; the first stage would run to 1995 and the second to 2005. The Commission is concerned to ensure that the final target should be at least a 60 per cent SO<sub>2</sub> cutback, even if the timescale is longer than originally envisaged.

#### Motor vehicles

There are four separate items under this heading: the Luxembourg near-agreement on car exhausts, emissions from heavy vehicles, emissions of diesel particulates from cars and lead in petrol. Adoption of the clean car Directive is not expected; it is still blocked by the Danish Government. Delay in adoption increases the risk that Member States will introduce various national measures in this sector, posing new risks for the coherence of the internal market and delaying the introduction of stricter standards at the Community level. There is more hope of progress on two Commission proposals on diesels, dealing with emissions from lorries and from private cars. These are relatively modest proposals for the first stage of stricter standards and useful progress has been made at Council working group level. Lead in petrol is a particular German concern, as the Government would like to consider banning the sale of normal grade petrol containing lead. The Commission will give a preliminary reaction to this proposal.

A presidency compromise on reducing motor cycle noise may well be adopted by the Council.

### Other matters

One item returning to this Council is sulphur in gas oil, which is used in central heating. Here the Commission proposes a cut in the permitted level from 0.5 g/l to 0.3 g/l, with possibility of applying 0.2 in certain areas. Denmark is seeking an unconditional right for Member States to apply stricter standards, while the German minister will wish to apply 0.2 throughout the country. A compromise may be found which would allow a decision on the burning of waste oils in furnaces, important for reducing air pollution and dispersal of dangerous substances such as PCBs which are found in some waste oil.

The Commission's request for a negotiating mandate at the Vienna Convention on protection of the ozone layer will be discussed by ministers. The basic problem relates to chlorofluorocarbons, which are used as propellants in aerosols. There is a standstill for production capacity in the Community but further measures may be discussed in Vienna.

The Commission will underline the lessons for the Community of the Rhine accident, especially the importance of the Seveso Directive and the need to ensure its full operation and the possibility of negotiating similar conditions for the operation of chemical plants in Switzerland. The Council will take a first look at the Commission's communications on nuclear health and safety, which have been forwarded to the Council since the Chernobyl disaster.

Regards,



H. PAEMEN

25 November 1986

NOTE BIO (86) 320 (SUITE 1 ET FIN) AUX BUREAUX NATIONAUX  
CC AUX MEMBRES DU SERVICE DU PORTE-PAROLE

ENVIRONMENT COUNCIL, 24 NOVEMBER 1986 (M. BERENDT)

The Council concluded just before four o'clock on Tuesday morning after achieving some important decisions. Directives were agreed on asbestos, motorcycle noise and disposal of waste oils. Conclusions were adopted on the environmental aspects of nuclear safety and on Rhine pollution.

A Council Directive on asbestos was adopted following detailed technical work. It introduces standards for the first time in Community law to limit emissions into the air and into water from factories working with asbestos. It also lays down strict conditions to prevent asbestos fibres or dust from escaping into the atmosphere when being transported or dumped as landfill. The aim is to reduce the danger of asbestos to public health and to prevent it contaminating the environment.

The Directive on motorcycle noise will lead to substantially lower noise levels for all categories of motorbike. It provides for three separate categories instead of the five categories currently listed and lays down a timetable for reducing noise in two stages. For machines of less than 80cc and more than 175cc, the two stages will take effect from October 1 1988 and October 1 1993 for new models and two years later for all new machines. For medium size machines, between 80 and 175cc, the first stage will apply from October 1 1989 for new models and a year later for all new machines. The second stage will take effect at the end of 1994 unless the Commission proposes otherwise. The permitted sound levels will be:

	stage I	stage II
Under 80cc	77	75
80-175cc	79	77
over 175cc	82	80

Large quantities of waste lubricating oil - probably more than 2 million tonnes - are disposed of in the Community each year, of which large quantities are burned. The Council has now adopted a Directive under which such oil can be used as a fuel in furnaces. The aim is to reduce air pollution and to avoid leakage into the environment of poisonous chemicals such as PCBs and PCTs. Burning in installations of more than 3 MW will be subject to strict Community rules. In smaller plants, Member States can apply national rules.

On Rhine pollution, the Council had a brief discussion and then agreed a conclusion underlining the need for a better alarm and information system, closer harmonisation of legislation on the handling of dangerous chemicals and the prompt clean-up, restoration and compensation for pollution damage. The conclusion called on the Commission:



- to review present Community preventive and remedial measures, including the extent of their implementation (a reference to the Seveso Directive), and
- to examine the possibility of negotiating bilateral or multilateral agreements with European third countries on the extension of the Seveso Directive and the decision on chemical spills at sea.

Ministers had a relatively long discussion on nuclear safety matters in which several welcomed the Commission's request to have the matter on the agenda. Despite early misgivings by some delegations, conclusions were agreed which acknowledged the importance of protecting the public and the environment against the effects of nuclear radiation resulting from both routine and unplanned operations and which also stated that the Community had an important role to play. The Council noted that the Commission would soon propose detailed measures on nuclear protection and agreed to examine these as a priority.

The major disappointment in the Council was the failure to agree a general text on power station emissions. Commissioner Clinton Davis described this as something of a fiasco. "We have lost more ground than we gained" he said. "We view this matter extremely seriously". Proposals for reducing the sulphur content of gas-oil also foundered, mainly in the face of Spanish opposition to possible adoption of a strict standard at the national, rather than regional, level.

Exhausts from diesel cars and from commercial vehicles were also discussed without success. For private cars this was not surprising, since this measure is complementary to the near-agreement on car exhausts which has been agreed by all except Denmark and Greece, and Denmark did not lift its reserve. However, Spain and Portugal were able to accept the majority position on the Luxembourg compromise. Agreement was close on measures to apply exhaust limits to lorries for the first time in Community law, but eventually it was decided to refer the vehicle questions back to COREPER.

A German request to be allowed to ban the sale of leaded regular petrol was sympathetically received by Commission and Council. Mr Clinton Davis said that the Commission was preparing a new proposal to amend the existing Directive on lead in petrol which can be discussed in the Council in March. The Commissioner also told the Council that a communication on speed limits would be provided in the next few weeks.

Regards,

  
H. PAEMEN