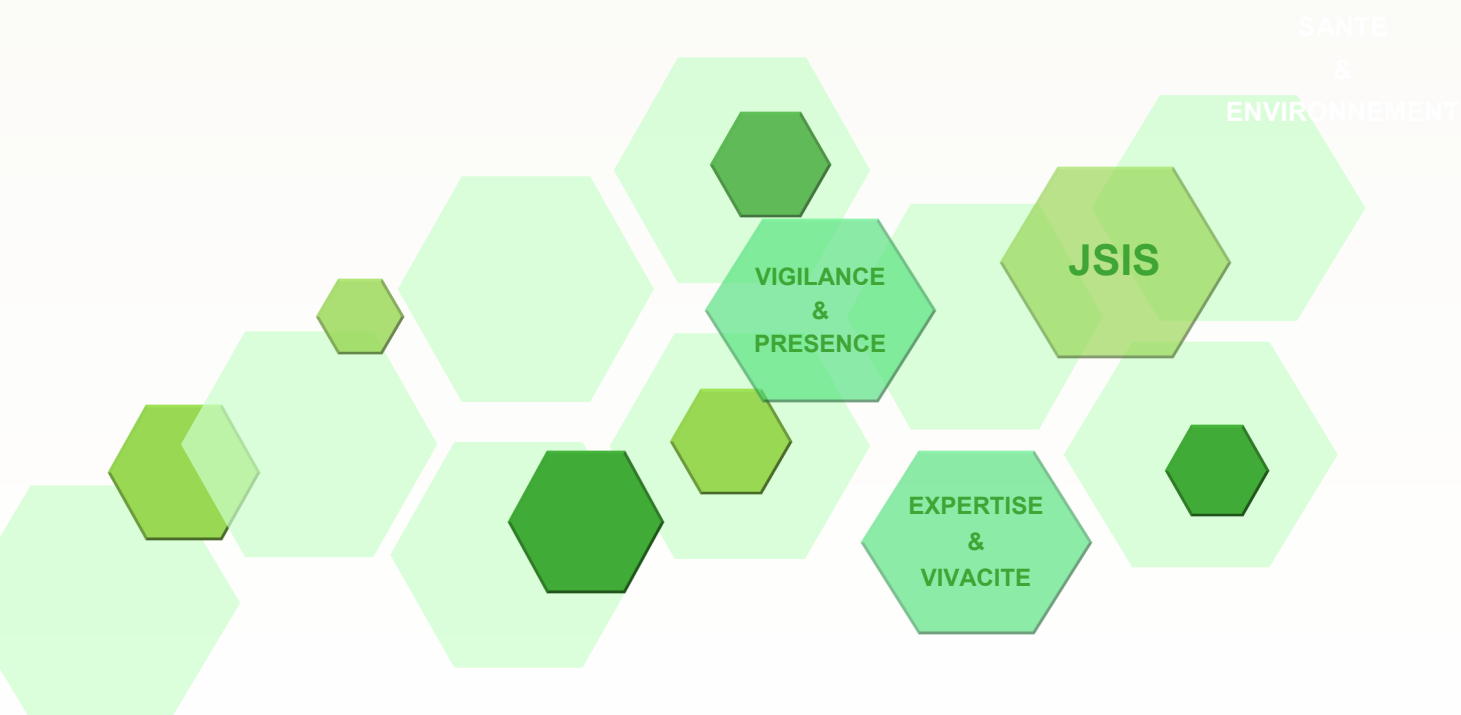




## **Air Quality**

*We have requested the intervention of Commissioners  
OETTINGER and VELLA....  
Progress achieved...  
R&D requests that...*



## SUMMARY

03 october 2017	Note to commissioners Günther OETTINGER, Budget and Human Resources Karmenu VELLA, Environment - <b>Concentration of « black carbon » in the main streets of the Brussels Region and consequences for the health of citizens and colleagues</b>	<a href="#"><u>5</u></a>
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Dear colleagues,

*Air quality is one of the Union's concerns in regard to protecting the health and environment of citizens.*

*In this context, the City of Brussels has been put on notice by the Commission for non-compliance with the legislation in force. Criticism is directed especially to the failures of the control of air quality.*

**R&D**, always concerned to preserve and protect your health, challenged about this Commissioners Günther OETTINGER, in charge of Budget and Human Resources, and Karmenu VELLA, in charge of the Environment.

**R&D** also reminded OIB of the European Standard EN 13779, which clearly specifies the filter performance required by the system, to give a good indoor air quality, depending on the outside air.

**We have requested the intervention of Commissioners OETTINGER and VELLA concerning:**

- ⇒ **risks to the health of citizens and staff;**
- ⇒ **the non-functioning of some stations in the European quarter;**
- ⇒ **non-compliance with the limit values;**
- ⇒ **the reminder of European directives and standards;**
- ⇒ **the alarming rate of nitrogen dioxide;**
- ⇒ **office air quality according to EN13779.**

**Progress achieved:**

- ⇒ **taking into account of our requests;**
- ⇒ **Intervention of the Commission to the Belgian Government ;**
- ⇒ **the Belgian Government has taken steps and as a result the Commission did not referred the matter to the courts.**

However, the European Court of Auditors, in its special report "Air pollution: our health still insufficiently protected", stressed that the EU air quality standards set nearly 20 years ago were not enough to preserve the health of citizens.

**The auditors presented four recommendations:**

1. the European Commission should take more effective actions
2. the Ambient Air Quality Directive should be updated
3. air quality policy should be prioritised and mainstreamed into other EU policies
4. public awareness and information should be improved

**R&D requests that:**

- ⇒ OIB scrupulously respects the air quality standards in the offices and buildings of the Institution
- ⇒ Commission put in place an efficient and flexible mobility policy for its staff and negotiate with the Belgian authorities measures to reduce the pollution rate in the European quarter



## **NOTE TO COMMISSIONERS**

**Günther OETTINGER, Budget and Human Ressources**

**Karmenu VELLA, Environment**

**Subject: Concentration of « black carbon » in the main streets of the Brussels Region and consequences for the health of citizens and colleagues**

We would like to sincerely thank you for the answer, dated 27 july ( [read](#) ) you gave to our concerns about low quality air in the heart of the European Quarter creating an increased risk to the health of Belgian citizens and colleagues (see [our note of 15 June 2017](#)).

Through your decision to circulate your response to all staff via My IntraComm ( [read](#) ), you demonstrated to all our colleagues not only that their health and the quality of their work environment are essential to you, but also your commitment to genuine social dialogue. It must be remembered that up now, the Administration had treated the positions taken by the staff representation with its usual nonchalance and so painfully and unnecessarily haughty tone.

You assured us that the Commission has taken this issue very seriously and has therefore sent Belgium a formal notice ( [read](#) ) of failure to comply with Directive 2008/50/EC of 21 May 2008 ( [read](#) ). And also that this same attention would be reserved by our administration and in particular by OIB services to the maintenance of air conditioning systems of our buildings which play a crucial role in ensuring the air quality in our offices.

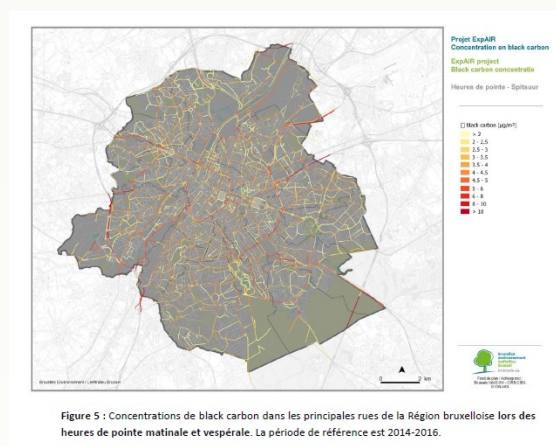
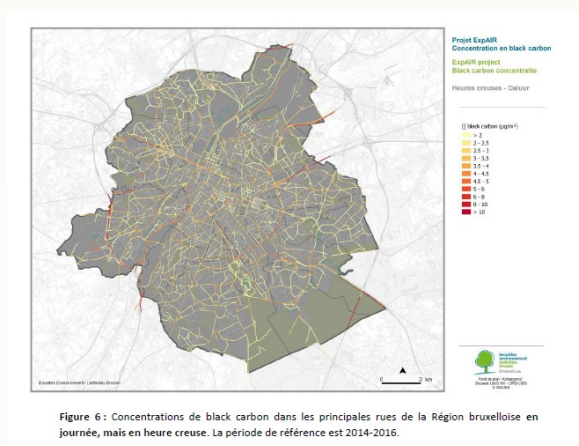
In addition, you allowed our colleagues to speak on this issue. We welcome this opening of dialogue and this mode of communication that brings you closer to your staff and its representatives

***On 15 September Brussels Environment published a report confirming the high air pollution in the Brussels Capital Region by the black carbon, a heavy pollutant***

In order to continue this dynamic approach, **R&D** would like to inform you that on 15 September Brussels Environment released a report on the ExpAIR project ( [read](#) ) based on the results of a measurement campaign launched in 2013 and completed in April 2017. 273 volunteers permanently wore a portable monitor measuring black carbon (sub-classification of fine particles) during working days. This resulted in the mapping of the Brussels Region, where information on the highly polluted streets can now be accessed.

It is clearly defined that the concentration of this pollutant is higher during peak hours and in "canyon streets" (streets between 2 buildings that do not allow air to circulate).

This new data confirms our November 2016 ( [read](#) ) and June 2017 ( [read](#) ) comments and supports our concerns about the heavy air pollution on rue de la Loi and rue Belliard (see ExpAIR project maps [offpeak](#) and [peak hours](#)) measuring the highest concentrations of « black carbon ».



	Heures de pointe	Hors heures de pointe
Entre 1 et 2 $\mu\text{g}/\text{m}^3$	22 % (*)	44 %
Entre 2 et 3 $\mu\text{g}/\text{m}^3$	32 %	40 %
Entre 3 et 4 $\mu\text{g}/\text{m}^3$	32 %	13 %
Entre 4 et 5 $\mu\text{g}/\text{m}^3$	9 %	2 %
Entre 5 et 8 $\mu\text{g}/\text{m}^3$	3 %	0,7 %
Plus de 8 $\mu\text{g}/\text{m}^3$	0,5 %	0,2 %

Considering the value of  $1\mu\text{g}/\text{m}^3$  as a reference for background pollution or for the average indoor air pollution, average peak hour concentrations are between 2 and 5 times higher than this reference value in 73 % of the road network, and more than 5 times higher for 4 % of the roads (extract from the ExpAIR report).

## **Significant health risks for citizens and colleagues**

As confirmed by all the scientific studies in this field, black carbon particles present significant health risks (cancer, cardiovascular diseases, etc.) as they can enter the lungs and the blood because of their small size. It acts as a carrier of other pollutants, including polycyclic aromatic hydrocarbons, some of which being recognized as carcinogens (WHO).

## **The Brussels Ministry of the Environment takes measures ... insufficient in the opinion of R&D**

In order to remedy this major problem, the Ministry of the Environment ( [read](#) ) is planning in January 2018 to set up a low-emission zone forbidden to the most polluting vehicles and a travel planner for each citizen according to place of residence and place of work.

These measures are the bare minimum that a citizen can hope for from his government to try to keep a full health.

## **A non-existent mobility policy for the staff of our institution**

According to the ExpAIR project report, exposure to black carbon can mainly be found in transport and especially in cars. People walking or traveling by train are the least exposed.

It is essential to develop a genuine mobility policy enabling all citizens and all our colleagues to be able to travel to their workplaces, by limiting the risks arising from air pollution in the European quarter, which has now conclusively been demonstrated.

To this end, the Brussels Region, the Commission and the Institutions must, as a matter of urgency, find alternative solutions to preserve everyone's health, while opting for healthier transportation means and encouraging research for new clean transportation technologies.

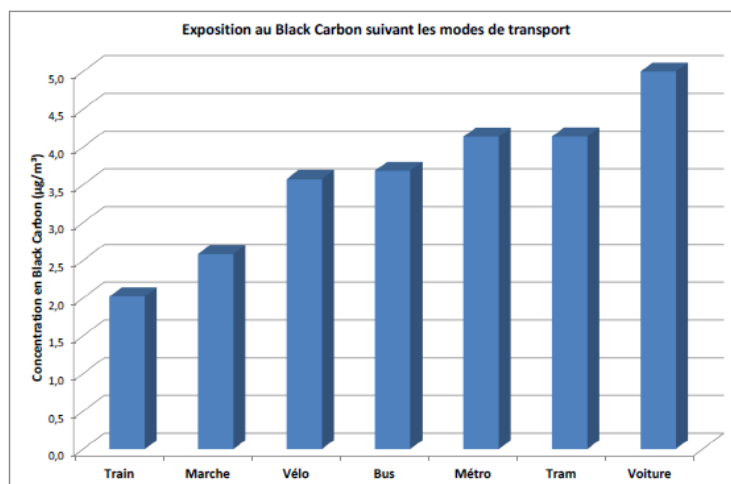


Figure 4 : Exposition moyenne des participants au black carbon pour les différents modes de transport en Région bruxelloise.

### ***Low exposure in the workplace***

In addition, as noted in the report, the lowest exposure to black carbon was measured at the workplace, where buildings are equipped with mechanical ventilation and air intake on the roof.

In view of the above, **R&D** once again kindly requests your intervention so that:

- the Commission acts with the Belgian government in setting up the necessary measures to reduce these severe air pollution and to enable all citizens and colleagues to benefit from their right to live and work in a healthy place without exposure to hazardous and carcinogenic substances;
- the air quality in offices is healthy and pure according to the European standard EN 13779 ( [read](#) )

You also advise us to contact our Belgian trade union confreres so that they could take our approach as an example . We are pleased to inform you that these contacts are already planned, to try to find solutions which would be favorable to all, We will of course keep you posted on the conclusions.

Cristiano Sebastiani,  
President

Copy:

Mr. M. Selmayr— Head of President Juncker's cabinet

Mr. A. Italianer – Secretary-General


Mrs I. Souka, Messrs. F. Garcia Ferreiro, C. Roques – DG HR

Mr. M. Mouligneau – OIB

Commission Staff



**My-IntraComm communication about R&D's request-  
Air quality in the heart of the European quartier**



# My IntraComm

My IntraComm News  
archive



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Pratique

## Pratique

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### Air quality in the heart of the European quarter

27/07/2017 | 9 9

On 15 June 2017, Cristiano Sebastiani, President of the Renouveau & Démocratie union, wrote to Commissioners Vella and Oettinger about '**Poor air quality in the heart of the European quarter**'.

You can read their reply of (27 July 2017) [here](#).

Thèmes: [Karmenu Vella](#), [Günther Oettinger](#), [Environment](#), [Human resources](#)



**KARMENU VELLA**  
Member of the Commission

**GÜNTHER H. OETTINGER**  
Member of the Commission

Brussels, **27 07 17**  
Ref. Ares(2017) 4108652

Mr. Cristiano Sebastiani,  
President Renouveau & Démocratie

Dear Mr Sebastiani, *voetballen President!*

We would like to thank you for your e-mail dated 15 June 2017, in which Renouveau & Démocratie asks us to take measures to safeguard the health of all citizens of Brussels, including employees of the European Commission. You pointed out that, due to high concentrations of air pollution - in particular nitrogen dioxide (NO<sub>2</sub>) – at specific locations in Brussels, people living, working in or frequently passing through these areas are exposed to concentrations above the limit values set in the Ambient Air Quality Directive [Directive 2008/50/EC], as well as the identical maximum concentrations for human exposure recommended by the World Health Organisation.

The Commission is aware of this situation and we can assure you that we take this matter very seriously. This is why, as you also mentioned, in April 2016, the Commission initiated an infringement procedure against Belgium for:

- (1) failing to meet the air quality assessment criteria e.g. as per the location of the monitoring stations in accordance with Article 6 of the Ambient Air Quality Directive,
- (2) persistently exceeding NO<sub>2</sub> limit values as laid down in Article 13(1) and Annex XI to the Directive in certain zones in Belgium, including Brussels, over several years, and
- (3) the failure to establish an 'air quality plan' as required by Article 23 of the Directive setting out the measures that would end the exceedances as soon as possible.

This infringement procedure is part of a broader enforcement action aimed at curbing air pollution by NO<sub>2</sub> across the EU. This concerns 12 Member States and the most critical situations have been prioritised. Please see the latest press release on this [http://europa.eu/rapid/press-release\\_IP-17-238\\_en.htm](http://europa.eu/rapid/press-release_IP-17-238_en.htm).

As regards Belgium, the procedure is necessarily based on the official air quality information as reported to the Commission by the Belgian authorities. The Commission is assessing whether the measures recently put in place or planned by the Belgian authorities are able to

improve the situation. The air quality information for the calendar year 2016, which is due to be reported by the Belgian authorities no later than the end of September 2017, will provide relevant information to inform this assessment.

As indicated by Renouveau & Démocratie, the NGO Client Earth measured NO2 concentrations in the most affected areas of Brussels, confirming the exceedance situation reported by the Belgian authorities. The results of the measurement campaign by Client Earth however are difficult to compare with the limit values from the Ambient Air Quality Directive and can therefore not be used as such in the legal proceedings. Nevertheless they highlight a worrying situation, including for the EU staff working in the area. Car traffic in Brussels, including in the European Quarter, is very dense. The Commission has developed a mobility strategy which has meant that the proportion of staff using their car to come to work has decreased from 50% to 30% in recent years. But EU staff only account for a fraction of traffic and air pollution in Brussels. The circulation in the city, including in the European Quarter, is largely due to commuters coming from Flanders/Wallonia and crossing the city with their car, frequently provided by their employers who also pay their fuel. In company cars this is usually diesel. We would therefore encourage you to alert your fellow Belgian trade unions that they should raise the same questions you are asking us to employers and to the Belgian authorities.

In any event, we have urged the Belgian authorities to put in place the necessary measures to end the current exceedances of the limit values set out in the Ambient Air Quality Directive as soon as possible. In the absence of appropriate monitoring and improved results, the Commission will pursue the ongoing infringement in accordance with the relevant provisions provided for by the Treaty.

In line with the provisions of the above mentioned directive, regarding the quality of the air in our offices, we ensure that each building uses powerful filters on the HVAC system which are changed on a regular basis. These filters prevent all fine particles, above 0.4 micrometres entering and altering the quality of office air. Each office has local filters, checked regularly and renewed every year. The effectiveness of the system can of course only be guaranteed provided that the windows are kept closed.

Internal air quality is also regularly monitored by the Internal Service for Prevention and Protection at work (SIPP) in coordination with the Medical Service.

Yours sincerely,



Karmenu Vella



Günther H. Oettinger

**Note to the attention of Günther OETTINGER,  
Commissioner for Budget et des Human Resources and Karmenu VELLA,  
Commissioner for Environment**

**Subject: Poor air quality in the heart of the European quarter —Study confirms what R&D says**

***Commission sends a formal notice to Belgium for non-compliance with air quality standards in Brussels***

In November 2016 ( [link](#) ), R&D had already denounced the failure of the Belgian State to meet its responsibilities for ambient air quality and clean air for Europe, and more specifically regarding the Brussels area.

To this end, the Commission put Belgium on notice ([infringement No 2016/2005](#)) for non-compliance with [Directive 2008/50 / EC of 21 May 2008](#), in particular for the non-sampling of concentrations of nitrogen dioxide (NO<sub>2</sub>) in areas where they are the highest.

***According to recent measurements, alarming levels of nitrogen dioxide (NO<sub>2</sub>) have been detected in the heart of the European quarter***

Our position was confirmed by the NGO ClientEarth which carried out measurements from 19 February to 20 March 2017 in the heart of the European quarter : rue de la Loi, rue Belliard and avenue des Arts.

The results of the analyses, disclosed by the press ( [link](#) ), show alarming rates of NO<sub>2</sub> in the quarter. The observed values (from 69.22 to 99.44 micrograms per m<sup>3</sup>) are well above the limit not to be exceeded on an annual average which is set at 40 micrograms since 2010.

***The health of citizens and colleagues endangered!***

Nitrogen dioxide comes from the emission of gases from diesel engines. It causes respiratory problems, through lung walls inflammation and can lead to hospitalization or even death.

An impact assessment by the Commission ([SWD \(2013\) 531](#)) points out the possible serious health risks.

*“Without urgent action at local, national and EU level, people working in the heart of the European quarter will be breathing toxic and illegal levels of pollution into the next decade,”* said Alan Andrews, a lawyer with NGO ClientEarth. *“By failing to report data from Brussels’ most*

*polluted roads, the Belgian government is hiding the true scale of the city's air pollution problem from both the Commission, and perhaps more importantly, the public. We have a right to breathe clean air and the right to know when our governments are failing to protect us."*

The EU, which is very sensitive to the effects of these gases on citizens' health, has adopted a new Directive on National Emission Ceilings (NEC Directive) with a view to drastically reducing air pollution. It entered into force on 31 December 2016 ([link](#)).

On this occasion, Karmenu VELLA, Commissioner for the Environment, Fisheries and Maritime Affairs, said: *"The new European air quality rules are a significant landmark in the fight against this invisible killer that is air pollution. Air pollution kills [over 450 000 people in Europe each year](#). This is more than ten times as many as road traffic accidents"*

**R&D calls on the Commission to act quickly to safeguard the health of citizens and colleagues...**

Given the above, and always eager to protect the health of our staff, **R&D** is calling for your joint intervention as Human Resources and Environment Commissioners so that concrete and rapid measures can be implemented in order to limit the irreversible damage to human health, caused by the toxic gases emission.

The health of citizens and colleagues in the European quarter is way more valuable than some savings...

In addition, **R&D** is asking the Commission to put in place all necessary measures to ensure that the Belgian State fulfils its obligations and, where appropriate, be subject to appropriate sanctions.

**R&D** also wishes to recall [the European standard EN 13779](#), which clearly specifies the required filter performance in a system to achieve good Indoor Air Quality (IAQ) taking into consideration the outdoor air, and reiterates its request to OIB to monitor the ambient air in our buildings, and to regularly check and maintain in the most rigorous way the air filtering system, so that the most demanding standards are met.

As all experts indicate / recommend, it is essential for the pipes to be regularly cleaned and disinfected and for the air filters allowing the filtration of external and internal pollutants to always be replaced at their established deadline, i.e. twice a year for optimum efficiency.

**Given the sensitivity of the issue relating to the health of thousands of people, we hope to receive a prompt response from you by launching appropriate procedures as soon as possible.**

Cristiano Sebastiani,

President

Copy:

M. M. Selmayr—Head of President Juncker's Cabinet

M. A. Italianer - Secretary-General, Mme I. Souka, MM. F. Garcia Ferreiro, C. Roques - DG HR

M. M. Mouligneau - OIB , Commission staff

**Commission serves formal notice to the city of for non-compliance  
with DIRECTIVE 2008/50 / EC OF 21 MAY 2008 on ambient air quality  
and cleaner air for Europe  
(OFFENCE No. 2016/2005)**



**R&D asks OIB to ensure reliable control of ambient air and air filtering systems in our buildings**

Air quality is a concern of the Union to protect citizens' health and their environment, as stipulated in Directive 2008/50/EC of 21 May 2008 merged with the "Air Quality Framework Directive 96/62/EC and other three "related" directives including Directive 1999/30/EC.

The objective of this directive promoting better air quality has been integrated into the [general Union Environment Action Programme to 2020](#).

However, despite the taken measures, the situation is still a cause for concern. A Commission Impact Assessment [[SWD\(2013\)531](#)] identified serious health risks that may result.

Let us recall that one of the key problems denounced by the Commission regarding the Member States, refers to the lack of conformity of external control facilities, compared with current standards, which brings about a serious defect of the air quality control system.

In this context, the City of Brussels has been formally notified by the Commission for non-compliance with the legislation. Loud criticism is going on as regards, in particular, breaches of air quality control.

**R&D** welcomes this initiative of our institution, demonstrating to Brussels citizens, the care that the Commission brings to the defence of their health.

It has come to our knowledge that the station for measuring nitrogen dioxide (NO<sub>2</sub>) in Arts / Law no longer applied since 2008, whereas according to [Airbase](#) (European Environment Agency), this station had detected concentrations very high between 1993 and 2008.

It is the same for Belliard Street Station which has not worked since 2014 while according to [Airbase](#), the annual concentration of NO<sub>2</sub> taken between 2012 and 2013 was much higher than normal.

In 2014, it appears that there were 5 stations not complying with the limit values. Besides the two stations mentioned above, we were informed of two others, namely Schuman and the European Parliament.

Violations of annual limit values have existed since 2010 in the air quality area of Brussels-Capital Region. As everyone knows, the best way to manage the fever is to break the thermometer...

**R&D** would like to bring to your attention [European standard EN 13779](#) that clearly specifies the filter performance required by the system to provide a good Indoor Air Quality (IAQ) taking into consideration the outdoor air quality.

**Given the above, and anxious to protect the health of our staff, R&D asks OIB that the ambient air and the air filtering system in our buildings are monitored and maintained with the utmost rigour in order to meet the most demanding standards.**

As all experts indicate, it is essential that pipes are cleaned and disinfected regularly and that air filters for the filtration of external and internal pollutants are always replaced at their established deadline, e.g., two times a year for optimum effectiveness

**R&D experts are at your disposal to answer all your questions and assist you if you feel that you do not benefit from the best air quality conditions in your building.**

