



**European Committee
of the Regions**

ENVE-VII/019

148th plenary session, 26-27 January 2022

OPINION

EU Action Plan: 'Towards zero pollution for air, water and soil'

THE EUROPEAN COMMITTEE OF THE REGIONS

- welcomes the European Commission's Communication on the EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil', its focus on health and its cross-cutting approach. The CoR looks forward to the announced actions and proposals and calls for them to be coherent and consistent with each other and other Green Deal initiatives;
- emphasises that pollution is a major problem that needs to be tackled through effective multilevel governance and a cross-border approach: each stakeholder has its role, and action at all levels is necessary to prevent local and regional authorities (LRAs) from being confronted with negative effects at the end of the chain;
- welcomes the six main 2030 targets as a start but regrets that most of the targets are not new. The CoR feels that more ambition and additional action is needed and encourages the Commission to start a continuous process of reviewing and adjusting targets towards the 2050 vision and to include the CoR in this process;
- points out that the post-pandemic recovery should focus on "One Health", acknowledging the interconnectedness between human, environmental and animal health;
- welcomes the new zero pollution hierarchy based on a "reverse pyramid" but regrets that "remedying and offsetting pollution-related damage" is given minimal consideration;
- calls for the polluter pays principle (PPP) to be better integrated into environmental legislation, in particular by lowering emissions limits to further reduce residual pollution and dealing with diffuse pollution from all sources, including agriculture;
- draws attention to the European Environment Agency (EEA) analysis, which shows that sub-optimal implementation of environmental legislation is most often the result of ineffective coordination between authorities, a lack of administrative capacity, insufficient funding, a lack of knowledge and data, insufficient compliance mechanisms and a lack of policy integration. The Zero Pollution Stakeholder Platform should foster better coordination among all levels of government and across policy areas. The CoR strongly supports the new platform and welcomes its own role in it as a recognition of the great importance of LRAs for the zero

pollution ambition.

Rapporteur

Marieke Schouten (NL/The Greens), Alderman of the municipality of Nieuwegein

Reference document

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – Pathway to a Healthy Planet for All – EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil'
COM(2021) 400 final

**Opinion of the European Committee of the Regions –
EU Action Plan: 'Towards zero pollution for air, water and soil'**

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

General comments

1. welcomes the European Commission's Communication on the EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil', its focus on health and its cross-cutting approach. The CoR looks forward to the announced actions and proposals and calls for them to be coherent and consistent with each other and other Green Deal initiatives;
2. stresses the need for full implementation of EU legislation in line with the TFEU principles set out in Article 191(2) (the precautionary principle and the principles that preventive action should be taken, that environmental damage should be prevented as much as possible at the source and that the polluters should pay);
3. emphasises that pollution is a major problem that needs to be tackled through effective multilevel governance and a cross-border approach: each stakeholder has its role, and action at all levels is necessary to prevent local and regional authorities (LRAs) from being confronted with negative effects at the end of the chain;
4. strongly believes that pollution is a symptom of a system of unsustainable production and consumption that is based on unlimited growth and extractivism and it can only be tackled if we move to a circular economy;
5. welcomes the six main 2030 targets as a start but regrets that most of the targets are not new. The CoR feels that more ambition and additional action is needed and encourages the Commission to start a continuous process of reviewing and adjusting targets towards the 2050 vision and to include the CoR in this process;
6. stresses that these goals at European level will require an ambitious and integrated approach – with environmental considerations being systemically addressed across policy areas – that connects the ambitions, timelines, procedures and tools of various environmental policies;
7. welcomes the fact that health is one of the main aspects of the Zero Pollution Action Plan. The integration of environmental health concerns is critical to bringing about the changes needed to reduce exposure to environmental stressors, in particular for people living in vulnerable conditions¹, as pollution is the leading environmental cause of disease and premature death around the world;

¹ [EEA Report No 22/2018: Unequal exposure and unequal impacts](#).

8. reiterates the need for Parliament, Council and Commission to take into account the proposals of citizens in the framework of the COFE regarding the topic of zero pollution, ensuring that ambitious new rules are implemented in this respect;
9. points out that the post-pandemic recovery should focus on "One Health", acknowledging the interconnectedness between human, environmental and animal health. One Health needs to play a leading role in goals and legislation if we are to achieve sustainability and healthy regions;

Increase prevention at source

10. welcomes the new zero pollution hierarchy based on a "reverse pyramid" but regrets that "remediating and offsetting pollution-related damage" is given minimal consideration;
11. stresses that LRAs have a key role to play in translating this action plan into action on the ground but they can only fulfil their role if a preventive approach with effective source-based policies is put in place at EU level;
12. welcomes the revision of the Industrial Emissions Directive (IED) and the more ambitious approach aimed at reducing emissions at the source. The IED should contribute to achieving the objectives of the circular economy;
13. reiterates that emission rules are a particularly effective approach; therefore recommends that more attention be paid to tightening them, as a better way of reducing emissions at source;
14. supports international work on best available techniques (BAT), including emerging technologies, to reduce industrial emissions whereby the range of emission levels is narrowed, so that a level playing field is created at international level;
15. calls for the review and enforcement of BAT reference document (BREF) requirements to be sped up for various industrial polluters and for more stringent emission requirements to be applied as part of the review of the Integrated Pollution and Prevention Control (IPPC) process;
16. stresses the importance of the "Sustainable Product Initiative" (SPI) announced in the Circular Economy Action Plan with regard to environmental pollution from products, during the whole life cycle of products - from material extraction and production to use and recycling. Believes that the potential contribution of the SPI to the Action Plan could be specified in more concrete terms;

Strengthen the polluter pays principle

17. stresses that governments should not be left to act alone: all sectors have an important role to play in controlling pollution and rectifying environmental damage at the source;
18. calls for products and goods entering the EU to comply with the same environmental standards in place in the EU. Failing this, the European principle of "the polluter pays" should be applied;

19. emphasises that the polluter pays principle (PPP) underpins the EU's environmental policy and requires polluters to bear the costs of measures taken to prevent, control and remedy pollution;
20. highlights the European Court of Auditors' Report², which found that coverage and application of the PPP is incomplete and that currently governments often bear the costs of cleaning up pollution;
21. calls for the PPP to be better integrated into environmental legislation, in particular by lowering emissions limits to further reduce residual pollution and dealing with diffuse pollution from all sources, including agriculture;
22. stresses that producers must be made legally and financially responsible for the mitigation measures needed to tackle pollution throughout the entire value chain through extended producer responsibility (EPR) for the environmental and disposal costs of all consumer goods and packaging materials;

Better implementation and monitoring

23. points out that the costs and foregone benefits for the EU from not achieving the environmental targets specified in the EU environmental legislation amount to around EUR 55bn per year³;
24. highlights that not all pollutants are equally damaging to human health and the environment and therefore a risk-based analysis may enable ecological and economic aspects to be better coordinated;
25. stresses that LRAs play a critical role in implementing environmental and industrial policies and have broad competences in enforcement of pollution control and welcomes in this regard flagship 5: "Enforcing zero pollution together";
26. draws attention to the European Environment Agency (EEA) analysis⁴, which shows that sub-optimal implementation of environmental legislation is most often the result of ineffective coordination between authorities, a lack of administrative capacity, insufficient funding, a lack of knowledge and data, insufficient compliance mechanisms and a lack of policy integration. The Zero Pollution Stakeholder Platform should foster better coordination among all levels of government and across policy areas. The CoR strongly supports the new platform and welcomes its own role in it as a recognition of the great importance of LRAs for the zero pollution ambition;
27. regrets that section 3.1 of this action plan does not mention the local and regional dimension, calls for the role of LRAs to be included more prominently and reiterates that LRAs need financial and technical support to implement the objectives on the ground;

² [Special Report 12/2021: The Polluter Pays Principle: Inconsistent application across EU environmental policies and actions.](#)

³ [Study 2019: The costs of not implementing EU environmental law.](#)

⁴ [EEA Environmental indicator report 21/2017.](#)

28. underscores that implementation problems cannot be solved by more legislation alone. Support mechanisms, capacity building for LRAs, knowledge sharing and innovation are essential to meet target values and standards;
29. stresses that EU initiatives such as the Urban Agenda Partnerships can be used and that actively setting up new environmental partnerships to support implementation should be considered;
30. welcomes the development of an integrated Zero Pollution Monitoring and Outlook Framework (ZPMOF) and calls for all relevant data to be collected, harmonised and made available to all. The CoR underlines the importance of making the ZPMOF coherent with the new monitoring framework planned by the Environment Action Programme;

Supporting local and regional zero pollution action

31. welcomes the Commission's efforts to work with cities and regions under the Green City Accord, Green Capital and Green Leaf awards and the European Year of Greener Cities as they provide incentives for improvements;
32. points out the need for an area-oriented approach. Specific policies should not be planned only for urban communities but also for other types of community, depending on specific geographical circumstances;
33. emphasises that environmental improvement through spatial design, such as expanding high-quality green and blue spaces in urban areas, offers a "triple win" by mitigating environmental pollution and supporting biodiversity, improving the health and well-being of urban populations and fostering social cohesion and integration⁵;
34. stresses the relevance of Nature-Based Solutions (NBS) since they can provide sustainable, cost-effective solutions that create economic opportunities, employment and public health and well-being benefits. Technical support, knowledge exchange and capacity building should be offered to LRAs to enable them to consider the co-benefits in their public procurements;
35. reiterates the overarching approach of better combining noise action and air quality plans with Sustainable Urban Mobility Plans (SUMPs) in municipalities, in order to improve noise protection and air quality through attractive public transport and effective promotion of cycling and walking;
36. supports the launch and continuous support of living labs for green digital solutions and smart zero pollution. Local Digital Twins can help to develop local and regional actions for green and digital transformation. Government control on digitalisation is indispensable because sustainable development is now inextricably linked with the digital world;

⁵ [Healthy environment, healthy lives: how the environment influences health and well-being in Europe.](#)

37. calls for the European data space to include the exchange of data on sustainability so that value chains can contribute to the greening of industries. Moreover, setting up standards at EU level for data storage and exchange will ensure the availability of data that can be used for transitions towards zero pollution;
38. welcomes the proposal of cooperation between the European Commission and the CoR for the creation of the Scoreboard of EU regions' green performance, which will be the basis for the new award for the Green Region of the Year;

Specific issues

Air

39. notes that air pollution is the largest environmental health risk in the EU; 400 000 premature deaths per year can be attributed to it⁶;
40. reiterates⁷ that effective air quality policies require action and cooperation at global, European, national, regional and local levels. In line with the principle of subsidiarity, implementation largely relies on national, regional and local measures tailored to specific circumstances;
41. welcomes the Commission's ambition to align the EU's air quality standards more closely with the latest WHO recommendations and to strengthen provisions on monitoring, modelling and air quality plans to help local and regional authorities; in particular, the provisions on monitoring, modelling and air quality plans need to be better aligned;
42. suggests using the 2021 WHO target values as a goal to achieve by 2050, but *not* using the recommended values as limit values since many Member States do not yet meet the current ones;
43. recommends taking into account the conclusions of the CoR Regional Hubs consultation, which investigated the implementation of the EU Ambient Air Quality (AAQ) and the National Emission reduction Commitments (NEC) Directives and the European Parliament's implementation report⁸, which describes the AAQ Directives as "a partially effective tool that needs to be improved";
44. points out that the pandemic created momentum by encouraging a modal shift and reallocating road space to walking and cycling - and more green space - thereby avoiding a return to car-dominated cities with high levels of air pollution;
45. Points out that additional efforts are needed to reduce the levels of odour pollution and sees the Industrial Emissions Directive (IED) as the main tool to combat odour pollution since it covers

⁶ EEA: Air Quality in Europe – 2020 report.

⁷ [The future of EU Clean Air Policy in the framework of the zero-pollution ambition.](#)

⁸ [European Parliament resolution of 25 March 2021 on the implementation of the Ambient Air Quality Directives.](#)

all forms of emissions. The CoR underlines the importance of citizen science and public participation for tackling odour pollution challenges. A multi-level approach including different inputs of various stakeholders can empower citizens to participate in decisions made about their environment and can support policy-makers and odour emitting activities to make informed decisions and better manage the issue of odour pollution;

Water

46. welcomes the target of reducing microplastics released into the environment by 30% and encourages the European Commission to set clear definitions of microplastics, but also to work on preventing the release of microplastics and non-wovens at source by proposing stricter measures on intentionally released microplastics;
47. welcomes the revision of the Urban Waste Water Treatment Directive and supports the initiative to use this Directive to work towards recovering valuable nutrients and the initiative to look at emerging substances such as pharmaceutical residues and microplastics;
48. recommends assessing the effectiveness of these measures and considering what investments are required regarding pharmaceuticals and microplastics, targeting hotspots, where there are risks to the ecology or drinking-water sources;
49. advocates monitoring substances in the surface and groundwater using innovative monitoring and evaluation techniques and including this in the revision of the Priority Substances Directive and the Groundwater Directive. Points out the need for exchanges of information on discharges in catchment areas because emissions of pollutants have an effect downstream;
50. expresses concern that water reuse in the EU is still limited and believes it could be supported through widening the scope of the EU regulation on minimum requirements for water reuse to include the use of water for the irrigation of green spaces in urban areas, parks, gardens and grounds for public use (e.g. recreation, sport);

Noise

51. points out that one million healthy years of life are lost every year due to the effects of noise on health⁹. Reducing noise pollution from roads is crucial to tackling this growing public health concern;
52. argues that action is needed at European level to support local and regional efforts to reduce noise pollution from roads, rail and airports by ensuring better implementation and enforcement of the mapping and reporting requirements under the Environmental Noise Directive (END);
53. encourages the Commission to assess the opportunity to revise the END to set ambitious mandatory targets for noise reduction in order to move closer to the WHO recommended limits and calls for a roadmap for action from all stakeholders;

⁹ <https://www.eea.europa.eu/publications/health-risks-caused-by-environmental>.

54. argues for a shift in the focus from measures that mitigate excessive noise to those that prevent noise altogether, such as supporting sustainable modes of transport like walking and cycling, is crucial to realise a significant and long-term noise reduction;

Soil

55. Stresses the importance of effective enforceability on quality and origin of soil. In this light, uniform proof of origin and quality of soil across the EU member states is crucial for local and regional authorities to stop the transport and use of contaminated soil across regions, which prevents the polluter from being held accountable.
56. stresses the vital importance of healthy soil for well-being and prosperity and is in favour of a preventive and risk-based approach to soil contamination. The focus should not only be on chemical quality, but also on physical and biological soil condition;
57. considers that when disposed of in landfills, plastics leach toxic chemicals into the soil and groundwater. When mismanaged, plastics pollute land, waterways and the oceans. Toxic additives and microplastics contained in rain, soil, waterways, oceans and on mountaintops cannot be eliminated by recycling, landfilling or incineration. Only legally binding limits on global plastics production for essential uses can make a difference;
58. welcomes the EU Soil Strategy and the announcement of the EU Soil Health Law, as supporting soil protection through a European framework is a crucial step towards climate neutrality, biodiversity restoration, zero pollution, as well as healthy and sustainable food system. Argues at the same time for flexibility in the national implementation of actions under the action plan and the new Soil Strategy because there are major regional differences in terms of spatial planning, landscape, soil (composition) and soil use;
59. welcomes the Commission's efforts to advise farmers to adopt less polluting practices, reducing ammonia and nitrate emissions. Other emissions from the agricultural sector, such as phosphates, metals, pesticides and pharmaceuticals, are also important;
60. calls for special attention to be paid to historical diffuse emissions. New standards are sometimes impossible to achieve, which results in restrictions on the use of polluted areas. Therefore, a source-based approach needs to be combined with a strategy for eliminating these existing sources of pollution;

Hazardous substances

61. advocates proactive measures to limit chemicals before they enter the chain; this also includes regulations for the safe use of substances that are placed on the market. The EU should regulate chemical substances based on their intrinsic harmful properties to humans and the environment even in case of scientific uncertainty, also taking into account the exposure risk and their benefit for society and identify and exclude specific, unacceptable risks;

62. considers REACH to be the key instrument in controlling hazardous substances entering the environment. It is essential that the REACH authorisation and restriction processes are used more and that more substances of very high concern are identified for the candidate list;
63. calls for restrictions at EU level on problematic uses of dangerous per- and polyfluoroalkyl substances (PFAS) and their emissions. Many of these are of great concern as they are extremely persistent and have an adverse effect on human health and the environment;
64. points out there is currently a lack of knowledge of the (eco)-toxicological effects for many hazardous substances to or via the environment. Scientific evidence on ecological and health impacts of chemical substances should be updated and considered continuously, and be made accessible, especially concerning risks to humans and the environment.

Brussels, 27 January 2022

The President
of the European Committee of the Regions

Apostolos Tzitzikostas

The Secretary-General
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Petr Blížkovský

II. PROCEDURE

Title	EU Action Plan: 'Towards zero pollution for air, water and soil'
Reference(s)	COM/2021/400 final
Legal basis	Article 307 TFEU
Procedural basis	Rule 41(b)(i)
Date of Council/EP referral/Date of Commission letter	/
Date of President's decision	28/05/2021
Commission responsible	Commission for the Environment, Climate Change and Energy (ENVE)
Rapporteur	Marieke Schouten (NL/Greens)
Analysis	Preliminary analysis: 30 July 2021 Policy analysis: 2 October 2021
Discussed in commission	9 September 2021
Date adopted by commission	23-24 November 2021
Result of the vote in commission (majority, unanimity)	Unanimous
Date adopted in plenary	27 January 2022
Previous Committee opinions	
Date of subsidiarity monitoring consultation	/