

Working Group 3 – Air Pollution

Lorna Dempsey



Source: Irish Times

“the biggest public health emergency of a generation”

LIFE14 GIE/UK/000043



Sadiq Khan



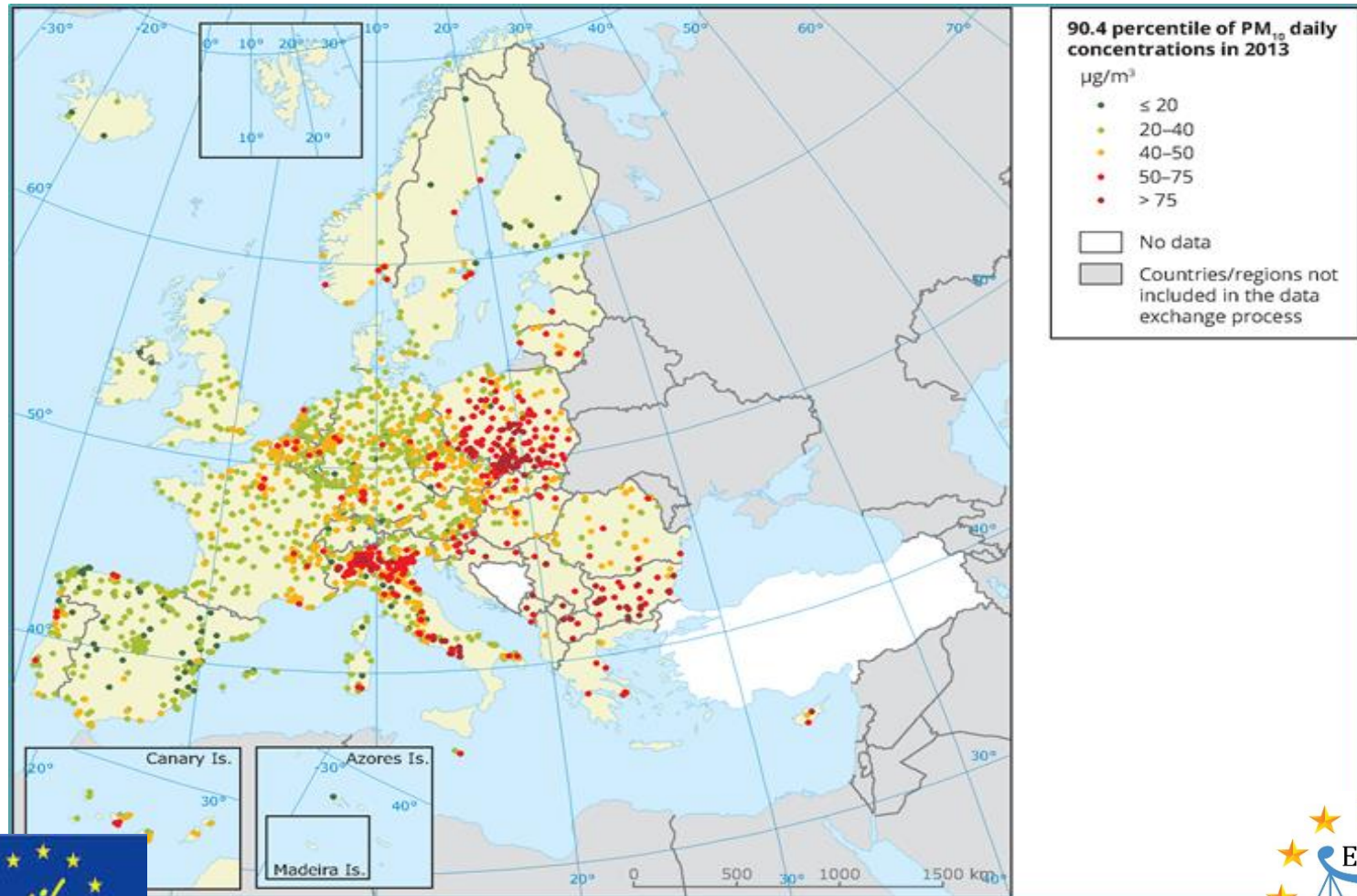
Impact of air pollution

European Environment Agency – Air Quality in Europe 2016

- Air pollution is the single largest environmental health risk in Europe
- PM_{2.5} responsible for 436,000 premature deaths in the EU in 2013
- Air pollution may directly affect vegetation, water and soil quality
- Several air pollutants have an impact on climate change
- Air pollution can damage buildings and materials
- Market costs include reduced labour productivity

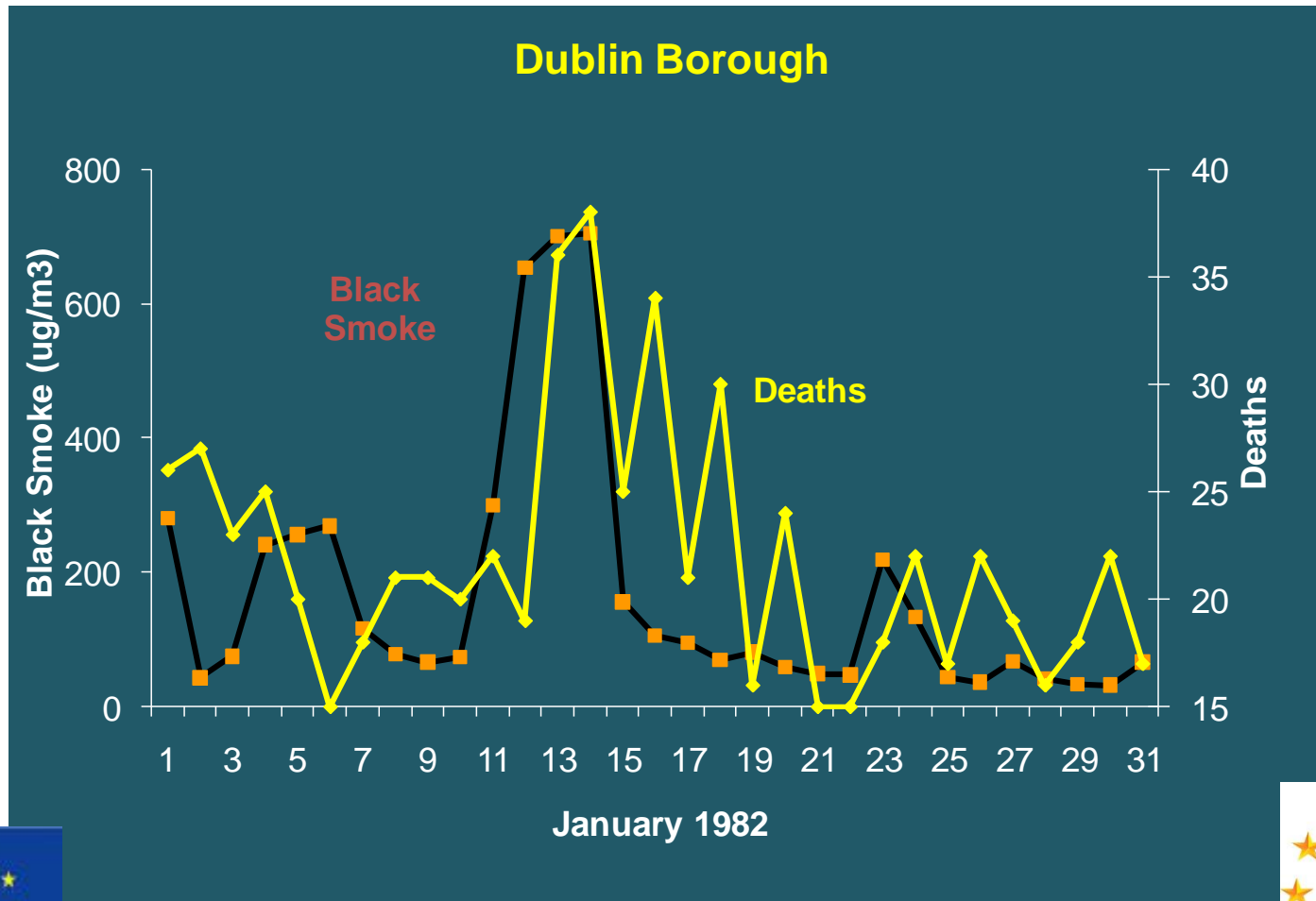


European Environment Agency – PM₁₀

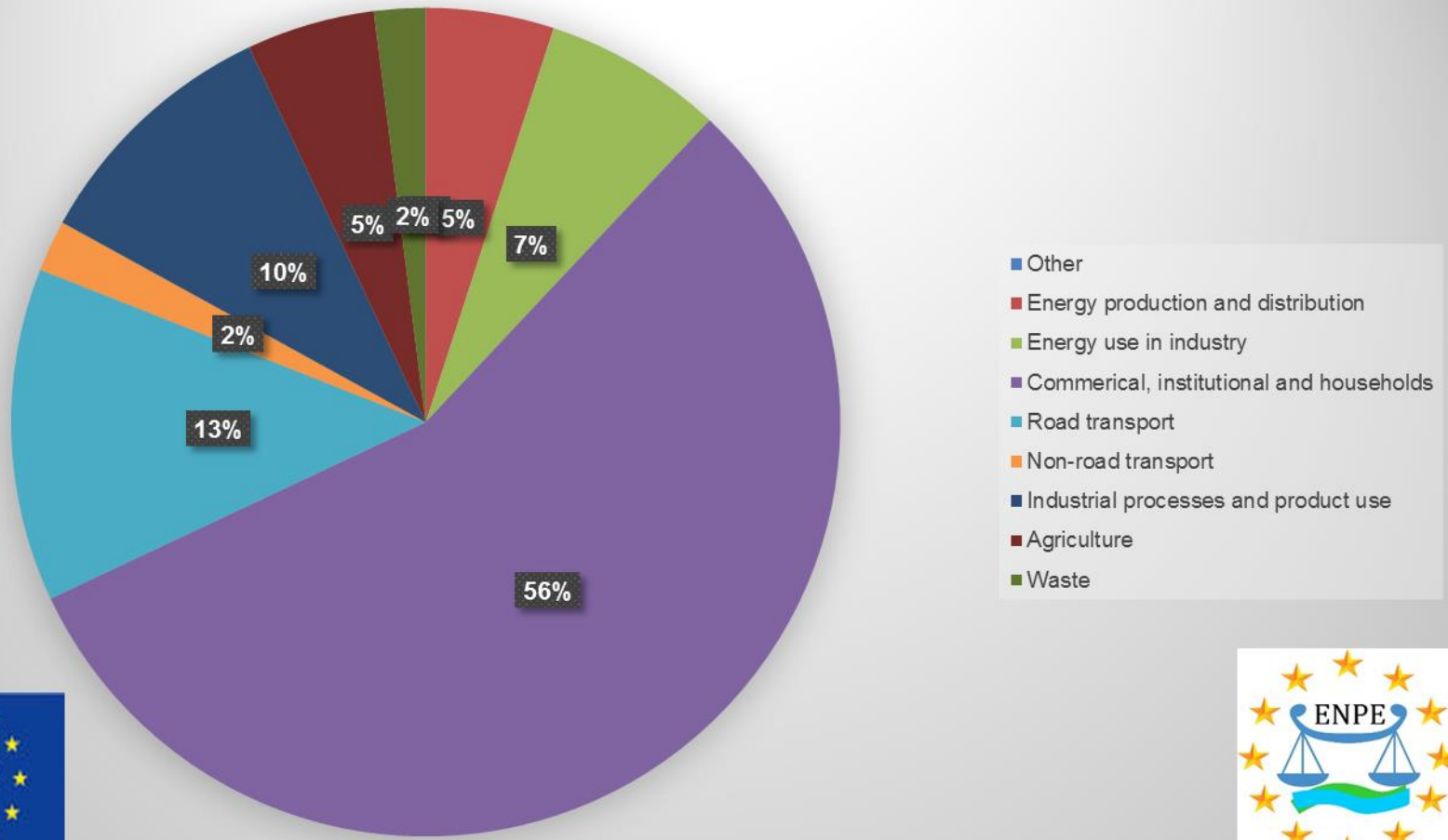




Report of Professor Luke Clancy



Sources of PM_{2.5} - EEA



Air pollution prosecutions



Difficult to detect



Working Group 3

- Meetings:
- 24 March 2017 and 30 June 2017



- Questionnaire
- Case reports for database

Working Group 3: Survey

- Air pollution offences not widely prosecuted
- Odour not prosecuted in some Member States
- Nearly all prosecutions in courts of first instance – dissuasive sentencing is needed to address serious offences
- Fragmented nature of environmental enforcement in some states – difficult to get conclusive data for each Member State
- We need your help



Sample case report for database

Case Report Form

Name of Defendant: Nutricia Infant Nutrition Ltd (P0792-02)

Year of Prosecution: 2016

Relevant Legislation: Environmental Protection Act 1999, s.s 8, 86(6)

Jurisdiction of the Court: District Court (Court of first Instance)

Plea: Pleaded guilty to five out of the ten charges. Other charges withdrawn on the basis of those guilty pleas.

Abstract of the Case:

The defendant was a company operating an infant milk formula manufacturing facility. It was subject to an Industrial Emissions licence. There were a number of breaches of the conditions of this licence in the following ways:

- * Offensive odours were reported by civilian witnesses in nearby residential areas.
- * a hydrogen sulphide emission limit value breach (ELVs)
- * late notification of uncontrolled release from the Waste Water Treatment plant sand filters.

The prosecution alleged that those breaches resulted in impairment of and interference with amenities in the environment beyond the installation boundary. The prosecution further alleged that there was a late notification to the Environmental Protection Agency of an incident with the potential for environmental contamination of surface or ground water.



Working Group 3 Members

- Romania (Teodor Nita)
- Cyprus (Lina Chatziathanasiou)
- Bulgaria (Victor Tartchev)
- Scotland, UK (Gillian Higgins)
- Greece (Christos Naintos)
- Bosnia and Herzegovina (Dragana Lipovcic)
- Ireland (Lorna Dempsey, Aisling Kelly)

