

**EUROPEAN COMMISSION**  
**DIRECTORATE-GENERAL**  
**REGIONAL AND URBAN POLICY**  
 Inclusive Growth, Urban and Territorial Development and Northern Europe  
 Poland

Brussels,  
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**Subject: Clean air measures within regional and national OPs 2014-2020**

Dear Marshals,

Clean air is a burning issue in Poland. Polish cities and towns are among the highest polluted cities in the EU. This pollution comes to a large part from households. The regulatory limits of small fine particulate matter caused by low-stack emissions from household heating are breached. The Commission referred Poland to the Court of Justice of the EU over poor air quality last December.

I am happy to learn that the June's meeting of Covenant of Marshals was focussed on this issue. I am convinced we can work together in order to help Polish towns reducing the low-stack emission problem. ESIF and national funds are available to support clean air measures in cities. The smart complementarity of funding from the OP Infrastructure and Environment and national programmes such as Lynx (PL. Rys) and Kawka with EU funding under your management in regional OPs can improve air quality in your regions.

I take this opportunity to address several issues raised by your managing authorities concerning clean air measure implementation within the ROP especially the boilers replacement.

As regard medium sized (1-50MW) boilers, the recently adopted directive<sup>1</sup> sets dust emission standards for medium combustion plants for biomass boilers. The Commission encourages ERDF investments within ROPs (IP 4a renewable energy sources, IP 4b energy efficiency in small and medium enterprises) in the boilers to respect these stricter emission standards already now. This criterion is in line with recently adopted statement of the Covenant of Marshals.

As regard small individual boilers, ROPs include already a specific clause with detailed requirements on ESIF investments. I fully agree with the Marshalls position that ecodesign Ecodesign Directive 2009/125/EC emission standards must be obligatory for all new ESIF cofinanced boilers. Furthermore, all boilers should have only automatic fuels providing system to avoid any waste burning.

I would like to remind that priority should be given to district heating. Recently adopted criteria for district heating investments in the OP Infrastructure and Environment ('OPI&E') prioritize investments in areas with highest dust emissions. This national OP allocated over 700m EUR to district heating development. ROP clean air investments should be complementary to OPI&E projects. The individual boilers can be supported

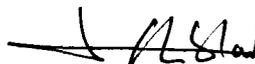
<sup>1</sup> Directive (EU) 2015/2193 of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants (OJ L 313 of 28.11.2015. )

only in exceptional cases and when the district heating development is not feasible and economically unjustifiable.

I take note of the arguments recalled by several Managing Authorities concerning the criterion of thermo-modernisation of buildings, where the heat-source is to be replaced. The boilers can be replaced in previously insulated houses. However, some minimum threshold of energy efficiency should be set up for such buildings. Following an agreement with some regions, I propose the minimum threshold for single family houses: “ $EP_{H+W} 150 \text{ kWh}/(\text{m}^2 \times \text{year})$ ”, and for multifamily houses: “ $EP_{H+W} - 135 \text{ kWh}/(\text{m}^2 \times \text{year})$ ”. The energy efficiency certificate (PL. swiadectwo efektywnosci energetycznej) could be used to measure this EP indicator only if termomodernization is not envisaged but only boilers replacement. Finally, the replacement of individual boilers in historical buildings could be allowed when minimal energy efficiency investments are/were carried out such as windows replacement for double/triple, roof insulation and internal ventilation with heat recuperation (all three elements compulsory).

If you have any other questions concerning clean air projects, I would encourage you to use the newly-established national system of advisory support for energy efficiency and RES. This support scheme has been set up by NFOŚiGW in cooperation with WFOŚiGW to help regional authorities in implementation ESIF projects in energy sector.

Yours sincerely,



Patrick Amblard