

Ongoing Environmental infractions

Directive Title	Commission's Case	Current Infraction Position
Water Framework Directive 2000/60/EC	Commission alleges various transposition issues	Article 258 Reasoned Opinion stage.
Directive 92/43 on the conservation of natural habitats and of wild fauna and flora	Commission alleges that UK has failed to establish conservation objectives for designated sites (terrestrial) and also to adopt appropriate conservation measures for each site	Article 258 Reasoned Opinion stage.
Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora	Failure to correctly apply the requirements of Directive in relation to the designation of Special Areas of Conservation for Harbour porpoise and therefore had not adequately contributed to the creation of the Natura 2000 network.	The ECJ ruled on 18 October 2018 that the UK had failed to designate sufficient sites for harbour porpoise and therefore had not adequately contributed to the establishment of the Natura 2000 network.
Directive 2008/56/EC Marine Strategy Framework Directive	Late reporting of updates on Articles 8, 9 and 10 Marine Strategy Part One: UK Updated Assessment and Good Environmental Status (GES).	Article 258 Letter of Formal Notice

Risk of future infraction proceedings

EU Requirement	Risk of future infraction proceedings
Bathing Water Directive 2006/7/EC	<p>Member States shall ensure that, by the end of 2015 bathing season, all bathing waters are at least 'sufficient'.</p> <p>However, bathing waters may be classified as 'poor' and still remain in compliance with this Directive. If certain criteria are satisfied.</p> <p>In 2016 and 2017 Ballyholme Bathing water was classified as 'Poor' bathing water quality leaving it at risk of permanent advice against bathing. Ballyholme has improved to "sufficient" in the 2018 Bathing Water results. This brings all bathing waters into compliance with the Bathing Water Directive.</p>
Water Framework Directive 2000/60/EC – Microbial Shellfish flesh standards – Belfast Lough and Dundrum Bay	<p>In shellfish waters protected areas, the Department's stated policy is that shellfish waters must meet at least Class B of the EU Food Hygiene Regulations as part of the WFD objective.</p> <p>Currently, inner Belfast Lough and Dundrum do not meet this standard and there is evidence of deterioration. The issues in Belfast Lough are being addressed through the Department for Infrastructure Living with Water Programme.</p>
Urban Waste Water Treatment Directive (UWWTD) 91/271/EEC. Requirement to provide additional treatment where an area has been designated as sensitive under Annex II C(A)	<p>Refers to the above case of the protection of Shellfish flesh standards in Inner Belfast Lough. If a designation is made to protect the Shellfish Beds under Annex II C(a) of the UWWTD , Northern Ireland Water (NIW) and Department for Infrastructure will be required to provide additional treatment at Waste Water Treatment Works treating over 10000 pe and discharging in to the lough from the day of designation.</p>
Environmental enforcement in Northern Ireland EU Pilot 7640/15/ENVI	<p>This pilot letter related to multiple areas but was primarily concerned with environmental impact assessments and regulation of development. Responses have been provided to the queries raised.</p>
Directive 2008/50/EC on Cleaner Air for Europe	<p>The Greater Belfast urban area is among a number of zones reported to the Commission by the UK as having exceeded the Directive's air quality objective for nitrogen dioxide.</p>

EU Requirement	Risk of future infraction proceedings
<p>Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air</p>	<p>An exceedance of the Target Value for the 2016 annual mean level of Benzo[a]pyrene in ambient air has been reported to the Commission. An exceedance report was sent to the Commission in December 2018.</p> <p>The exceedance was in the Derry City and Strabane District Council area.</p> <p>Exceedance reports for all affected UK reporting zones, including for NI, were sent to the Commission for consideration, in December 2018. The source of the air pollution was attributed to household burning of solid fuel, in particular, coal. There was subsequently no exceedance recorded for NI in the 2017 monitoring year.</p>
<p>Water Framework Directive Under Article 15 reporting, MSs are required to submit an interim report describing progress in the implementation of the planned programme of measures</p>	<p>Under WFD Member States are required to implement River Basin Management plans to meet objectives of 'Good Status'. Current plans cover the period 2015-2021, and have a target to achieve up to 70% of water bodies at good status by 2021. An interim progress report and assessment of status has been reported to EC by 22 December 2018.</p> <p>Statistics on 2018 WFD status were published on 26 Sept 18. These are interim statistics, but indicate no progress towards 2021 targets, and a deterioration in rivers of 1.4% since 2015.</p>

