

EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT  
Directorate C - Quality of Life, Water & Air  
ENV.C.3 - Air

Brussels,  
ENV.C3

Mr Vincent HARMSSEN  
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**By registered letter with acknowledgment of receipt**  
**Advance copy by email: [ask+request-25748f483082@esktheeu.org](mailto:ask+request-25748f483082@esktheeu.org)**

Dear Mr Harmsen,

I refer to your request dated 12/02/2016 in which you make a request for access to documents, registered on 12/02/2016 with no GetDem 2016/674.

You request access to *"on the topic of the National Emission Ceilings Directive (part of the Clean Air Policy Package), all correspondence (including emails), minutes of meetings and any other reports of such meetings between DG ENV officials (including the Commissioner and his Cabinet members"* and representatives of certain organisations listed in your request.

Please find attached copies of the requested documents.

Several organisations listed in your request were members of the Stakeholder Expert Group on Air Policy Review. (A full members list can be consulted in the Register of Expert Groups at: <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=2646> .) Documents from the meetings of this group and some of the submission of the members are publically available in CIRCABC library via our webpage: [http://ec.europa.eu/environment/air/review\\_air\\_policy.htm](http://ec.europa.eu/environment/air/review_air_policy.htm) . These public documents are not enclosed with this letter.

Please note that the documents originating from third parties are disclosed for information only and cannot be re-used without the agreement of the originator, who holds a copyright on it. These do not reflect the position of the Commission and cannot be quoted as such.

Please also note that for reasons of protection of personal data some of the names of authors of documents have been redacted. Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the

protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>. According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

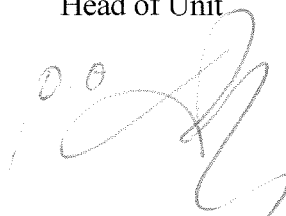
Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission  
Secretary-General  
Transparency unit SG-B-4  
BERL 5/282  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

Thomas Verheyne  
Head of Unit



Enclosure: List of documents and copies.

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<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.