Water policy: priority substances

2011/0429(COD) - 04/12/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Richard SEEBER (EPP, AT) on the proposal for a directive of the European Parliament and of the Council amending Directives 2000/60/EC and 2008/105/EC as regards priority substances in the field of water policy.

The committee recommends that Parliament adopt its position in first reading following the ordinary legislative procedure, and amend the Commission proposal. The main amendments are as follows:

New priority substances: the report recalls that the proposal adds 15 chemicals to the list of 33 pollutants that are monitored and controlled in EU surface waters, including industrial chemicals, biocides, plant protection products and, **for the first time, three pharmaceutical substances.** These are 17alpha-ethinylestradiol, 17beta-estradiol and Diclofenac.

The substances have been selected on the basis of scientific evidence that they may pose a significant risk. Whilst all 15 substances are retained in the priority substances list, the committee **deletes Environmental Quality Standards (EQS) for the 3 pharmaceutical substances.** The Commission shall **propose EQS for these substances by 27 December 2016.**

Members note that pollution with pharmaceutical residues is an emerging environmental problem. Current evaluation and control of the risk of medicinal products to the aquatic environment do not provide adequate attention to Union environmental objectives. An ongoing Commission study on the risks of environmental effects of medicinal products aims to provide an analysis of the relevance of the current legislative framework protecting the environment and human health via the aquatic environment, and finally the identification of possible measures to better address the problem.

Specific provisions for pharmaceutical substances: pursuant to Directive 2000/60/EC, the Commission shall, within two years, **draw up a strategy against pollution of water by pharmaceutical substances**. The strategy shall include: (i) proposals enabling, to the extent necessary, the environmental impacts of medicines to be taken into account more effectively in the procedure for placing medicinal products on the market (Directive 2001/83/EC, Directive 2011/83/EU, Regulation (EC) No 726/2004); (ii) an assessment of the risks associated with the presence of medicines in aquatic environments and proposals to reduce them; (iii) information with which to calculate the cost-effectiveness ratio of the measures proposed.

Watch list: the watch list shall contain no more than 25 substances or groups of substances, which shall be selected in accordance with a transparent technical procedure and relevant objective criteria. The Commission must take into account in its selection the results of **robust risk assessment** based on widely accepted, validated analytical methods and scientific data from state-of-the-art studies.

Member States shall monitor each substance in the watch list at selected representative monitoring stations over at least a **12-month period** commencing within six months of its inclusion in the watch list.

The Commission shall be empowered to adopt **delegated acts concerning the drawing up of the watch list**, the inclusion and removal of substances from the watch list and laying down technical specifications for the monitoring of the substances in the watch list. The watch list shall be valid for a maximum of four years from the date of its adoption, or until a new list is drawn up by the Commission if this happens before the end of the four-year period.

Monitoring stations: the committee stated that each Member State shall select at least one monitoring station, plus one station per, on average, 30 000 km2 geographical area, plus one station per, on average, 5 million inhabitants (the Commission having proposed at least one station per, on average, 15000 km2 geographical area, with a minimum of one per Member State.)

Ubiquitous persistent, bioaccumulative and toxic substances: Member States must monitor these at least once every three years in order to provide sufficient data for a long-term trend analysis.

Separate presentation of new priority substances: as regards the presentation of chemical status in accordance Directive 2000/60/EC, for the purposes of the first update of the programmes of measures and of the river basin management plans, **Member States should be allowed to present separately the impact on chemical status of new priority substances and of existing substances with updated EQS,** so that the introduction of new requirements is not mistakenly perceived as a deterioration of the chemical status of surface waters. In addition to the obligatory map covering all substances, two additional maps, one covering only new substances and existing substances with updated EQS and one covering other substances, could be provided.

Coherence with river basin management plans: the committee notes that the newly identified priority substances and their EQS, and the updated EQS for existing priority substances set out in the Directive, should be taken into account in the programmes of measures and river basin management plans when they are next updated in accordance with the deadlines set out, respectively, in Article 11(8) and Article 13(7) of Directive 2000/60/EC. For good chemical status, the EQS should be met by the end of the corresponding six-year river basin management plan cycle, without prejudice to provisions for extending the deadline for meeting good chemical status or achieving less stringent environmental objectives for specific bodies of water.

Website: it is important that timely and proper information on the status of European surface waters and on the achievements of the strategies against chemical pollution is made available to the general public. A single website providing information on the river basin management plans and their reviews and updates should be made available in each Member State.