

Protection of groundwater against pollution and environmental quality standards in the field of water policy

2022/0344(COD) - 26/10/2022 - Legislative proposal

PURPOSE: to update lists of water pollutants to be more strictly controlled in surface waters and groundwater.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: EU water legislation shares an overarching objective of protecting human health and the environment from the combined effects of toxic and/or persistent pollutants.

This proposal covers amendments to three Directives:

- Directive 2000/60/EC establishing a framework for Community action in the field of water policy,
- Directive 2006/118/EC on the protection of groundwater against pollution and deterioration,
- Directive 2008/105/EC on environmental quality standards (EQS) in the field of water policy.

The Commission conducted a review of the list of priority substances in the Annexes of the Directives and concluded, in the light of new scientific knowledge, that it is appropriate to amend those lists.

PURPOSE: with this proposal, the Commission aims to protect European citizens and natural ecosystems from risks posed by pollutants and their mixtures. The ultimate aim of the initiative is to set **new standards** for a series of chemical substances of concern to address chemical pollution in water, to facilitate enforcement based on a simplified and **more coherent legal framework**, to ensure dynamic and **up-to-date information on water status**, facilitated by the European Environment Agency (EEA), and create a more flexible framework for addressing pollutants of emerging concern. This would be based on wide stakeholder involvement as well as sound scientific support from the European Chemicals Agency (ECHA) to ensure maximum synergies and coherence across EU laws on chemicals.

More specifically, the proposal will:

- reduce concentrations of acutely toxic and/or persistent chemicals in surface and groundwater. Benefits will include reduced impacts on the environment, human health, pollinators and agriculture;
- improve the quality of oceans, lakes, rivers, streams, estuaries, and wetlands and of the services they deliver such as clean water, rich soils and a high biodiversity;
- limit or avoid future costs of water treatment by reducing pollution at the source;

make chemical monitoring data more easily available, accessible and re-usable which will be useful for a better safety assessment of chemicals altogether;

- require that Member State authorities warn immediately downstream Member States in the same river basin, as well as the Commission, in case of exceptional circumstances of natural origin or force majeure, in particular extreme floods, prolonged droughts, or significant pollution incidents. This will provide faster and better response to events such as the Oder river pollution from summer 2022;
- work on tools to monitor and develop a policy response to problematic substances, such as microplastics and antimicrobial genes;
- support the 'one substance, one assessment approach' where the same chemical is evaluated in the same way regarding the risk it poses by different EU laws and policies to limit regulatory burden;
- ensure more dynamic and up-to-date information on water status facilitated by the European Environment Agency.

The new rules recognise the **cumulative or combined effects** of mixtures shifting away from the current focus on individual substances solely. Furthermore, the proposal takes account of **seasonal variations** in the amount of pollution, such as in the case of pesticides used by farmers during planting seasons.

The current proposal is also consistent with the recently revised Drinking Water Directive, which enters into force in 2023. By aiming to reduce pollution of surface and groundwaters, it will protect vital drinking water sources and reduce the cost of treatment. The Drinking Water Directive and this proposal address a wide range of pollutants, in particular pesticides, pharmaceuticals and the group of per- and polyfluoroalkyl substances (PFAS).

Budgetary implications

The proposal will have budgetary implications for the Commission (EUR 500 000), the European Environment Agency (EEA) (EUR 7 million) and the European Chemicals Agency (ECHA) (EUR 8.9 million) in terms of human and administrative resources required.