

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

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The Committee on the Environment, Public Health and Food Safety adopted the report by Milan BRGLEZ (S&D, SI) on the proposal for a directive of the European Parliament and of the Council amending 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 and Directive 2008/105/EC on environmental quality standards in the field of water policy.

This new legislative proposal presented by the European Commission brings forward a revision of the Water Framework Directive together with its two 'daughter' Directives, the Groundwater Directive and the Environmental Quality Standard Directive with the purpose to improve the EU water legislation towards achieving its overarching objective of protecting human health and natural ecosystems from toxic pollutants.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Progressive reduction of priority hazardous substances

According to Members, the Commission should adopt the necessary legislation and Member States shall implement the necessary measures to progressively reduce pollution discharges, emissions and losses from priority substances, and to cease or phase out emissions, discharges and losses of priority hazardous substances within an appropriate timeline and, in any case, not later than **20 years after** a given priority substance is listed as hazardous in Part A of Annex I to Directive 2008/105/EC.

That timeline should apply without prejudice to the application of stricter timelines in any other applicable Union legislation.

Emerging and new substances

Members proposed that the watch list - which lists substances or groups of substances for which there are indications that they present a significant risk to human health and the environment - should not be limited to a maximum number as proposed by the Commission. The watch list should contain at least **five substances or groups of substances** and specify, for each substance, the applicable monitoring matrices and any analysis methods. This list should be updated regularly to take account of new scientific evidence.

The substances or groups of substances to be placed on the watch list should be selected from among those substances which, on the basis of available information, could pose a significant risk at Union level to or via the aquatic environment, and for which monitoring data are insufficient. In addition to the minimum number of substances or groups of substances, the watch list could also contain pollution indicators.

Members propose that a number of substances be added to the list as soon as appropriate monitoring methods have been identified. These include micro-plastics, antimicrobial resistant micro-organisms and certain antimicrobial resistance genes, as well as possibly sulphates, xanthates and non-relevant metabolites of pesticides.

Groundwater pollution

Members considered that a precautionary approach should be applied when setting groundwater threshold values to protect human health, groundwater ecosystems and groundwater-dependent ecosystems. The threshold values applicable to groundwater should normally be **10 times lower than the corresponding threshold values for surface waters**. However, where the actual risk posed to the groundwater ecosystems can be established, it could be appropriate to set threshold values for groundwater at a different level.

Each Member State should select at least two monitoring stations, plus the number of stations equal to its total area in km² of groundwater bodies divided by 30 000.

The Commission should, not later than four years after the date of entry into force of this Directive, publish an assessment of the impacts of physico-chemical elements, like pH, oxygenation, and temperature, on health of groundwater ecosystems, accompanied, where appropriate, by a legislative proposal to revise this Directive accordingly, in order to set the corresponding parameters, provide for harmonised monitoring methods, and define what would constitute a good ecological status for groundwater.

The Commission should publish an assessment of the chemical status of areas characterised by high ecological value, vulnerability or pollution, such as caves and karst areas, former industrial sites and other areas with known historical contamination, accompanied, where appropriate, by a legislative proposal to revise this Directive.

Members also wanted a subset of specific PFAS (perfluoroalkylated and polyfluoroalkylated substances) and ‘**PFAS Total**’ (a parameter that includes all PFAS with a maximum concentration) to be added to the list of groundwater pollutants. They also want stricter standards for glyphosate, bisphenol (bisphenols total), atrazine, pharmaceuticals and non-relevant metabolites of pesticides.

In particular, the report proposed the adoption of the following EQS for **glyphosate**, based on the precautionary principle: a common, unified environmental quality standard expressed as an annual mean value (AA-EQS) of 0.1 g/L for inland surface waters; a common, unified environmental quality standard expressed as an annual mean value (AA-EQS) of 0.01 g/L for other surface waters.

Extended producer responsibility

According to Members, introducing the provision on extended producer responsibility would ensure the respective legislation lives up to the polluter pays principle particularly when it comes to financing of monitoring programmes. The Commission is called on to examine the creation of an extended producer responsibility **mechanism**.

Access to justice

The report proposes to enhance the provision on access to justice in environmental matters by concretely defining this right within the relevant legislation and thereby ensuring national courts across the Union abide by this provision making possible for the applicants to be able to rely on national laws when challenging decisions by public authorities that are in breach of the water framework directive.

