Pollution, public health: quality of bathing water (repeal. Directive 76/160/EEC)

2002/0254(COD) - 05/04/2004 - Modified legislative proposal

The Commission accepts most of the 35 amendments tabled during the Parliament's first reading of the proposed Directive given that they clarify and improve upon the Commission's proposal. However, there are certain amendments which duplicate the provisions of the Water Framework Directive particularly as regards chemicals and dangerous substances. These the Commission can not accept. Similarly, the Commission can not accept any amendments that would effectively alter the scope of the proposed Directive such as extending the Directive's provision to 100m off the shore line. Specifically speaking the Commission will amend its initial proposal by accepting in full: - Amendments, which clarify definitions and operational modalities, on the grounds that they improve upon the reporting and the management of bathing water. - Amendments, which improve upon public information. - Amendments, which contribute to the sound management of bathing waters. Those amendments accepted in part or in principle by the Commission refer to: - Referring to "technical and scientific progress" when the Directive is reviewed, 15 years after its entry into force. - Having standardised references symbols indicating the quality of the bathing water. In the interests of subsidiarity, however, the Commission prefers to leave the choice of these symbols to the Member States. The Commission proposes to do so according to an implementation strategy, successfully adopted for the Water Framework Directive. - Providing on-line information. The choice of language should be left up to the Member State and not be simply published in English and French as the Parliament originally proposed. - Changes to Annex III of the Directive. The Commission welcomes any changes, which would make the Directive more complete. However, it notes that the Water Framework Directive already focuses on wide-scale (macro) characteristics. The Bathing Water Directive, on the other hand, acts on much smaller topographic sites. In order to avoid unnecessary over regulation the Commission proposes that only those elements, which are relevant to the understanding and management of bathing waters should be included in this profile. Lastly, those amendments not acceptable to the Commission refer, inter alia, to: - Covering water sports to within a limit of 100 meters. The covering of 100 m would be difficult to establish and to enforce. - Amendment 7 since it opens the scope for water with recreational activities subject to pollution whilst excluding waters with little pollution risk. - Amendments referring to transitory contamination - even though the Commission remains open to it as a concept. - Amendments, which duplicate the chemical standards already dealt with by the Water Framework Directive.