

Persistent organic pollutants

2003/0119(COD) - 26/02/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Pernille FRAHM (EUL/NGL, DK) on persistent organic pollutants and reached a political compromise with the Council. By adopting the compromise at the first reading of co-decision Parliament ensures that the regulation enters into force quickly. Parliament was not content with the ban on production, marketing and use of POPs. Accordingly, it secured from the Council the addition of a provision introducing a total ban on HCHs like lindane by 2007 at the latest. Parliament also secured detailed provisions regarding waste containing or contaminated by any of these pollutants, specifying that disposal or recovery operations that may lead to recycling or re-use of the pollutants should be prohibited. A new Annex IVa on waste management is added to the Regulation. Existing stockpiles which consist of or contain banned persistent organic pollutants should be managed as waste as soon as possible. If other substances are banned in the future, their stocks should also be destroyed without delay and no new stockpiles should be built up. In view of the particular problems of certain new Member States, adequate financial and technical assistance should be provided through existing financial Community instruments, such as the Cohesion and Structural Funds. It is possible to obtain derogations from this prohibition, and Parliament has imposed conditions on derogations. Furthermore, the Commission must, before 31 December 2009, review the derogations in the light of international and technical developments, in particular with regard to their environmental preferability. The Commission must submit a report on the workings of the Regulation every three years, and the report must contain information on the use of derogations given. An amendment to Part A of Annex 1 giving the list of substances prohibited in the Convention and Protocol contains an amendment of DDT. Member States may allow the existing production and use of DDT as a closed-system site-limited intermediate for the production of dicofol until 1 January 2014, in accordance with Article 4(3). The Commission must review this exemption by 31.12.2008 in the light of the outcome of the evaluation in the framework of Directive 91/414/EEC. Parliament did give the Member States more freedom on waste disposal in exceptional cases. One amendment obliges the Member States, when preparing their national implementation plans, to give the public early and effective opportunities to participate in the process. A new recital also stated that public awareness of the hazards that persistent organic pollutants pose to the health of present and future generations as well as to the environment, particularly in developing countries, is often lacking, and wide-scale information is therefore needed to increase the level of caution and gain support for restrictions and bans. In accordance with the Convention, public awareness programmes on these substances, especially for the most vulnerable groups, as well as training of workers, scientists, educators and technical personnel should be promoted and facilitated, as appropriate. Parliament went on to specify that when Member States study proposals concerning the construction of new installations or new industrial sites liable to discharge such chemicals, they should give priority to alternative processes, techniques and practices to avoid the creation and discharge of POPs. In addition, Parliament specified that information on infringements of the provisions of the Regulation should be made public, where appropriate, thereby introducing a "name-and-shame" system. Parliament added definitions of 'preparation' and 'disposal'. Finally, Parliament stated that common concentration limits for the substances in waste should be established before 31 December 2005.