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

2002/0254(COD) - 27/06/2005 - Commission opinion on Parliament's position at 2nd reading

Out of the 26 amendments adopted, the Commission can accept 10 amendments in full, 1 amendment in part and a further 3 amendments in principle. 12 of the adopted amendments have been rejected.

The amendments accepted in full aim to: improve the provision of information to the public; make reference to directives dealing with access to environmental information and public participation in the drawing up of plans and programmes; bring forward respectively the dates for developing beach profiles and for the entry into force of the directive; allow the technical updating of the directive to include viruses as well as bacterial indicators.

The Commission has partially accepted the amendments concerning: the consultation and participation of interested parties in a number of the measures foreseen in the directive; the establishment by the Commission of an EU wide symbol or system of symbols for providing information to the public.

The Commission can accept in principle the amendment which proposes quality standards for the classification category “sufficient”, which are considerably more stringent than those in the Common

Position. While the standards as proposed in the amendment are far too severe to gain the necessary support in the Council, a certain degree of tightening up of the standards is one possible option for bridging the gap between the two institutions. The Commission can therefore accept the principle of this amendment in so much as it serves to develop an agreement between the Council and the Parliament.

Lastly, the Commission has rejected the amendments concerning emergency planning provisions which do not need to be included on a directive dealing with bathing water; seeking to advance the dates for compliance with the quality standards in the directive; the introduction of a new definition of short-term pollution which is ambiguous and difficult to implement and control; allowing calculation methods to be used in cases where water samples are not stored or processed correctly; seeking to limit the length of the time that the “sufficient” classification category remains in use to 8 years after the entry into force of the directive. As this would mean that the “sufficient” category would disappear by 2013 and the date for compliance with the quality standards is 2015, this amendment is not compatible with the rest of the text and cannot be accepted.