

Water policy: establishment of environmental quality standards (EQS)

2006/0129(COD) - 27/03/2007

The Environment Commission adopted the report drafted by Mrs Anna **LAPERROUZE** (ADLE, FR) amending - at first reading of the codecision procedure - the proposal for a directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directive 2000/60 (the Framework Water Directive).

The main amendments proposed are as follows:

- the MEPs wish to specify that the proposal lays down measures to limit water pollution and environmental quality standards for priority substances and certain other pollutants in order to: (a) reduce discharges, emission and losses of priority substances by 2015; and (b) cease discharges, emission and losses of priority hazardous substances, in accordance with the Water Framework Directive to achieve a good chemical status for all surface waters. The aim is also to prevent any further deterioration and by 2020 to achieve concentrations close to the natural background levels for all naturally occurring substances and concentrations close to zero for all anthropogenic synthetic substances in accordance with international agreements on the protection of the sea;
- in its initial proposal, the Commission suggests limiting the control of surface water and not biota and sediments, except for three more dangerous substances which may accumulate in the food chain: hexachlorobenzene, hexachlorobutadien and mercury. MEPs are now calling on the Commission to make a proposal concerning quality standards applicable to the concentrations of the priority substances in sediment and biota no later than 12 months after the submission of the inventories by the Member States;
- monitoring of other substances in Annex I may also be performed in sediment or biota instead of in water if Member States consider this to be more adequate and cost-effective. If significant concentrations of substances are detected and Member States consider that there is a risk that the environmental quality standards for water will not be met, monitoring in water shall be performed to ensure compliance with the environmental quality standards for water;
- Member States shall at all times take the measures required to ensure that plants which discharge into bodies of water waste water containing priority substances employ the best available production and waste water treatment techniques; they must also improve the knowledge and data available on sources of priority substances and ways in which pollution occurs in order to identify targeted and effective control options;
- the Water Framework Directive refers specifically to the protection of drinking water. This directive relates to the protection of bodies of water in general. Bodies of water intended for the abstraction of drinking water require more specific measures and standards in order to comply more closely with the Water Framework (reduction of purification);
- the Commission should use the data which become available through REACH to detect further priority substances; it shall examine the most recent scientific information and technical progress regarding substances accumulating in sediment and biota and shall prepare Environmental Quality Standards concerning them;

- the Commission should be given the task of reacting to pollution problems affecting bodies of water which can be dealt with effectively by means of restrictions on the manufacture and use of individual substances by putting forward legal acts which are binding throughout Europe and which impose the same requirements on all Member States, in particular in the context of the REACH Regulation;

- if, with a view to enforcing the polluter-pays principle and the precautionary principle and to securing uniform implementation in the Member States, emission limit values valid throughout the Community are needed for specific plants, substances or point sources, or if such emission limit values can be effective in securing compliance with environmental quality standards, the Commission shall put forward proposals in accordance with Directive 96/61/EC;

- Member States shall designate transitional areas of exceedance, where the concentrations of one or more pollutants at low flow conditions exceed the relevant environmental quality standards. Member States are requested to include an action plan to reduce the extent and duration of each transitional area of exceedance within the river basin management plans in order to reach the relevant environmental quality standards by 2018 at the latest.

- in the case of cross-border watercourses the consent of the other affected Member States is needed in determining the transitional area of exceedance;

- although the European Commission suggests leaving it to the Member States to lay control measures, the MEPs wish, on the contrary, to specify the actual emission control measures. To achieve this, they call on the Member States to establish integrated plans for emission control and phase-out measures for priority and priority hazardous substances in the framework of the programme of measures provided for in the Framework Directive. The plans shall contain at least: (i) the results of the investigations; (ii) objectives for substances including for volumes and mass balances; (iii) sectoral strategies concerning the main pollution sources (particularly for industry, agriculture, forestry, households, health systems, transport); (iv) measures for reduction of diffuse pollution due to losses of substances of products; (v) measures for substitution of priority hazardous substances; (vi) instruments, including economic measures, in accordance with the Framework Directive; (vii) emission standards additional to existing EC regulations; (viii) measures for information, advice and training.

The plans should be drafted according to transparent criteria and revised in the framework of the revision of the programmes of measures. The Member States shall report to the Commission and the public every three years on the progress of the implementation and on how the measures have contributed to achieve the objectives of this Directive;

- the inventory shall indicate the sources of the emissions, discharges and losses of the priority substances and other pollutants, as well as concentrations in sediments and biota. These should be mapped for better transparency. Given the reduction or cessation obligations on Member States concerning priority substances, Member States should include information about such measures in their Inventory. They should also accompany their inventory with a suitable timetable for achieving those objectives;

- the Commission shall verify by 2012 that emissions, discharges and losses as reflected in the inventory can be expected to comply, by 2015, with the reduction and cessation obligations laid down in the Framework Directive. The Commission shall submit a report on this verification to the European Parliament and the Council. If the report shows that compliance is unlikely to be achieved, it shall propose the necessary Community measures, pursuant to the codecision procedure, by 2013;

- as regards pollution originating from third countries, the Commission shall present to the European Parliament and the Council, no later than one year after the entry into force of this Directive, a report on

the situations regarding pollution originating from third countries. On the basis of that report, the European Parliament and the Council shall, if this is adjudged necessary, ask the Commission to bring forward proposals;

- the Commission shall put in place clear and transparent procedures in order to establish a streamlined and targeted framework for the communication by the Member States of information on priority substances that support the Community decision-making process and permit harmonised EQS for sediment and biota as well as additional emission controls to be laid down in future;

- although the Commission's draft directive lays down environmental quality standards for priority substances and certain other pollutants, this report suggests that there is no reason to differentiate between priority substances and other pollutants, and it therefore makes sense to class them all together. The Environment Commission also included 28 substances to the list of 41 priority substances already proposed. It calls on the Commission to check whether or not these substances should be considered as priority hazardous substances.

Lastly, a formal evaluation should be carried out of the consistency and effectiveness of all Community legislative acts contributing directly or indirectly to achieving good water quality.