



The future of European water protection with regard to chemical pollution

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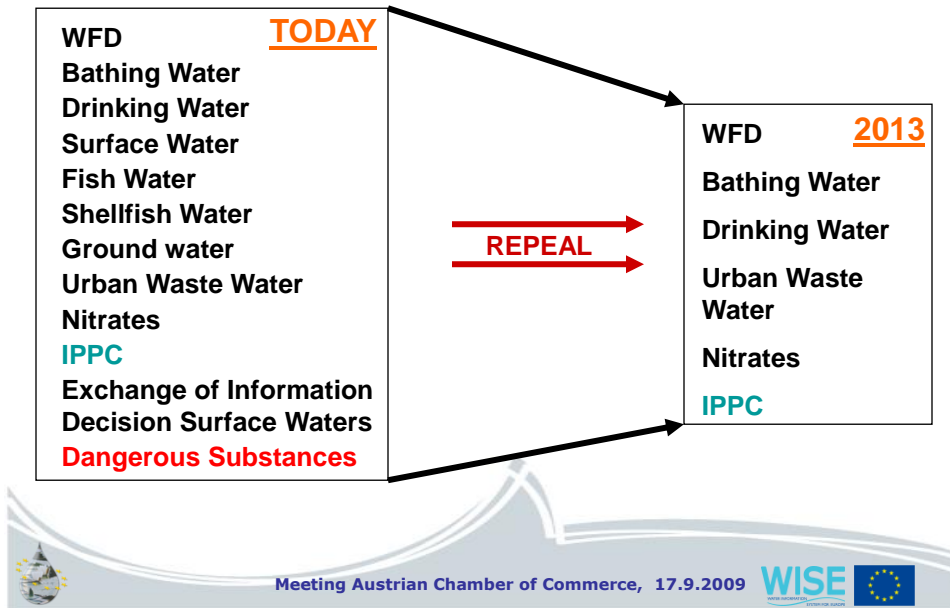
Contents (as proposed by organisers)

- **Goals of Water Framework Directive and its Art. 16 - strategies against pollution of waters in a nutshell**
- **Description of timetable: Milestones towards phase out and reduction of substances. Will the Commission emphasize harmonized and standardized subsidiary measures? Contributions to process from Commission?**
- **Short assessment of current activities in Member States and on European level, e.g. ongoing prioritisation process – new priority substances**
- **Consequences for European industry? Will REACH and the European Chemicals Policy meet all expectations set by Water Policy?**



Meeting Austrian Chamber of Commerce, 17.9.2009  

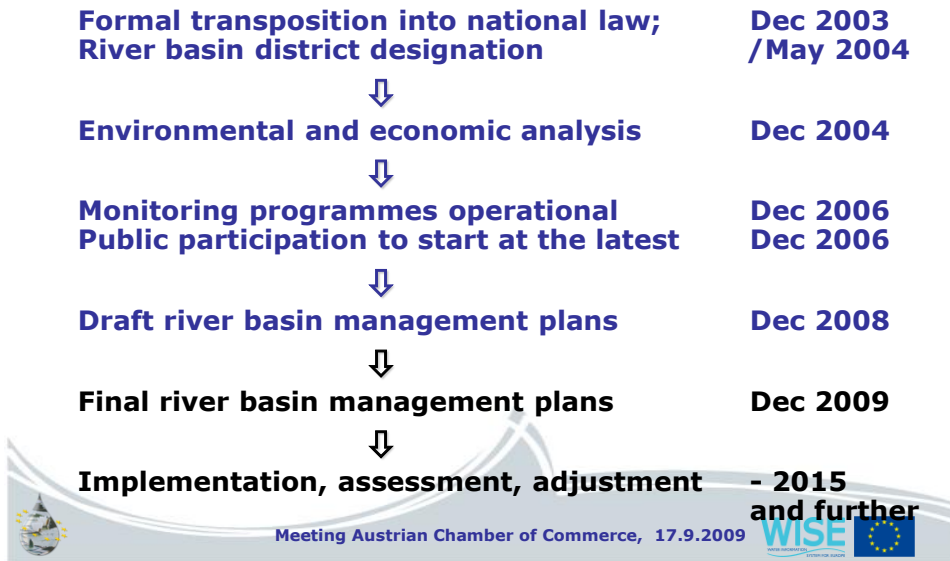
Evolution of Water Legislation



Water Framework Directive key elements

- protecting all waters, surface and groundwaters;
- covering all impacts on waters;
- good quality ('good status') to be achieved, as a rule, by 2015;
- water quality comprehensively defined in terms of biology, chemistry and morphology;
- water management based on river basins;
- monitoring programmes for surface and groundwaters, both as a planning tool and as an assessment instrument;
- economic instruments: getting the prices right - to promote prudent use of water;
- mandatory public participation;
- ... and complemented/guided by an unprecedented cooperation on implementation.

Water Framework Directive a continuous and transparent process



WFD general objective: achieve Good Status for all waters in 2015

Means an expression of the quality of the structure and functioning of aquatic ecosystems including: biological, hydromorphological and **chemical** elements

- Good surface water status
 - Good **chemical** status + good **ecological** status
- Good groundwater status
 - Good **chemical** status + good **quantitative** status

Means meeting all environmental quality standards for **chemicals** set at EU level:

- surface waters: 33 priority substances + 8 other substances previously regulated)
- groundwater: pesticides and nitrates

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Tackling chemical pollution at EU and national/regional level

- Objective of Good chemical status
 - Article 16 of WFD: prioritisation of chemicals that are of concern at EU level and therefore standards and control measures are set **at EU level** (complemented by national measures as necessary)
- Objective of Good ecological status
 - Chemical pollution of national/river basin concern: standards and measures to be set **at national level**
 - There is a risk of lack of harmonisation on standards and measures set at national level



Priority substances and Priority Hazardous Substances

- Priority substances
 - Art 16: *"individual pollutants or groups of pollutants presenting a significant risk to or via the aquatic environment, including such risks to waters used for the abstraction of drinking water"*
- Priority hazardous substances
 - Art 2.29: *"means substances or groups of substances that are toxic, persistent and liable to bio-accumulate; and other substances or groups of substances which give rise to an equivalent level of concern"* (link to REACH substances of very high concern art 57)
- Specific objective for PS and PHS
 - Art 4: *"Member States shall implement the necessary measures in accordance with Article 16(1) and 16(8), with the aim of progressively reducing pollution from priority substances and ceasing or phasing out emissions, discharges and losses of priority hazardous substances"*



Prioritisation principles

- **Significant risk to or via aquatic environment, including to surface waters used for drinking water**
- **Identification of risks through**
 1. **Risk assessments under chemicals, pesticides or biocides legislation**
 2. **Targeted risk assessment focusing only on toxicity to or via aquatic environment**
 3. **Simplified risk-based assessment procedure based on scientific principles and taking into account**
 - **intrinsic hazard**
 - **monitoring data**
 - **production volumes and/or use patterns.**



Identification of Priority substances

- **First prioritisation exercise done in late nineties → 33 substances established in 2001**
- **Commission proposal 2006 → Directive 2008/105/EC which**
 - **Sets standards for all 33 substances + keeps the 8 substances regulated under existing 76/464/EEC**
 - **Introduces the concept of mixing zones**
 - **Foresees an inventory of emissions, discharges and losses to be the baseline for the assessment of the cessation and phasing-out targets**
 - **Provides the legal base for a Commission proposal on reviewing the list of priority substances by January 2011, including the EQS setting**
- **Commission proposal in 2006 did not include additional EU wide control measures for the 33 substances because the existing ones were deemed sufficient to achieve the WFD objectives**

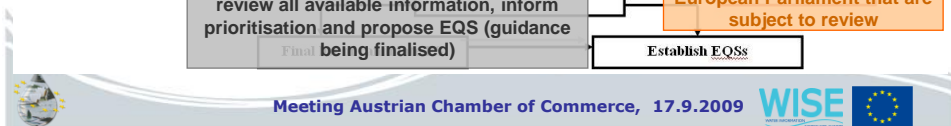
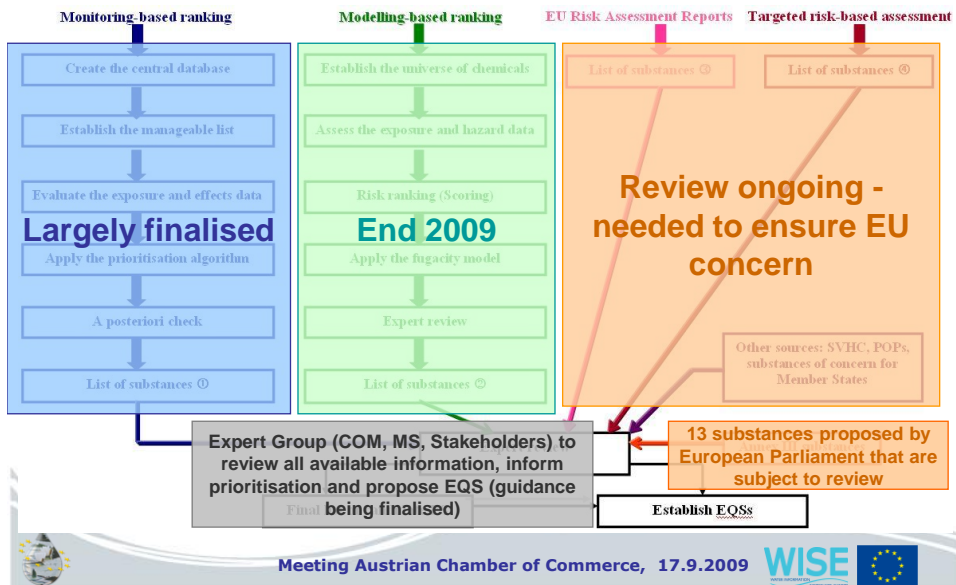


Review of Priority Substances list

- Commission proposal foreseen for early 2011 → impact on the second river basin management plan
- On-going work since 2007 in the context of the Working Group on Priority Substances: Commission, Member States and stakeholders
- Methodology evolved building on the experience of the first prioritisation, taken into account the recommendations of the Commission Scientific Committee and considering the changes in the regulatory context (REACH, pesticides, etc)
- Work on impact assessment will start soon



Overall approach to prioritisation



Monitoring based prioritisation

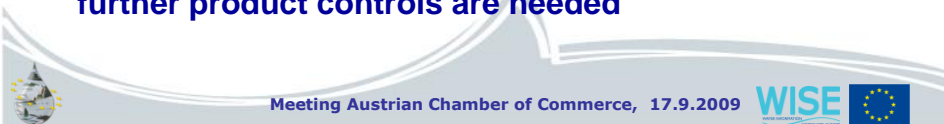
- **2001 priority list: COMMPS** (Combined Monitoring-based and Modelling-based Priority Setting)
- Based on data collection of 2008-2009
- Comparison of databases 1999 - 2009

	COMMPS 1999	Monitoring risk ratio-based approach 2009
Nb Countries	15 + Eureau	28 + Vewin
Nb candidate substances	314 (water) 221 (sediment)	1 147
Nb substances (manageable list)	95 (water) 60 (sediment)	317
Nb water analysis	752 043	13 581 264
Nb sediment analysis	68 880	918 839
Nb biota analysis	0	78 863



Working with other legislation

- **REACH**
 - Registration dossiers
 - Annex XV dossiers (SVHC)
 - Evaluations
- **Pesticides & biocides**
 - Authorisations for use
- **WFD as downstream safety net to ensure measures taken to mitigate the risk are efficient – and providing a feedback mechanism to those other policies in case further product controls are needed**



Outlook

- **Overall methodology for WFD article 16 Community action to be consolidated, to be used in future updates, including relationship with other legislation, progressively evolving in the future**
- **Improve information base**
 - Chemical monitoring in Member States (Commission Directive on QA/QC adopted in July 2009)
 - REACH (ecotoxicological data, use patterns)
 - Effectiveness of measures: RBMP cycle
 - Emerging substances
 - Research (Socopse, ScorePP, Modelkey, Neptune, ...)
- **Important milestone: first river basin management plans (end of 2009) – Commission to review the plans from 2010**



Thank you for your attention

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