



Seminar on glyphosate and water
Brussels 1 December 2005



UPDATE ON EU WATER LEGISLATION

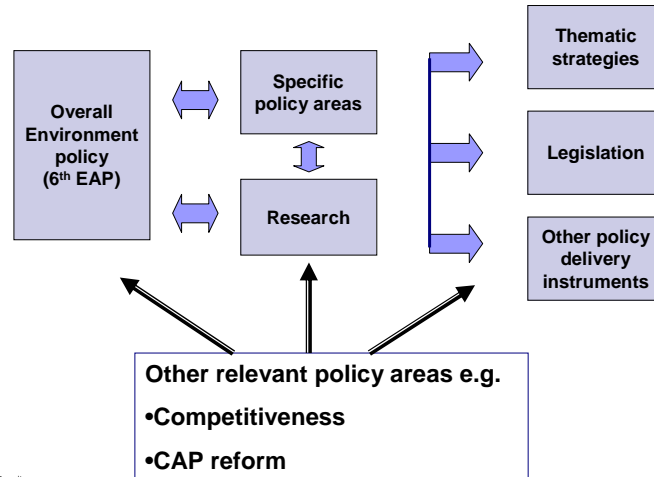
Dr Bob Breach



EU ENVIRONMENT POLICY IN CONTEXT



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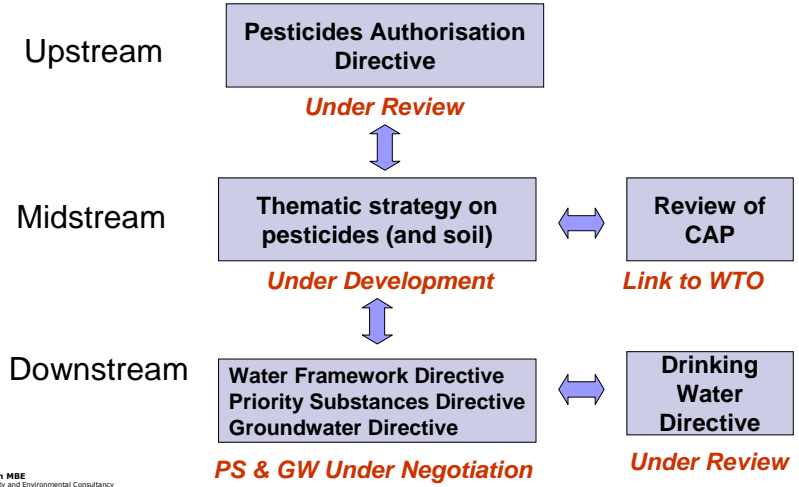


THEMATIC STRATEGIES



- A requirement of the 6th Environmental Action Plan (EAP)
- Runs from 2002 -2012
- A new approach
 - Setting a longer term perspective
 - Providing a more stable policy framework
 - Identifying most appropriate policy instruments for delivery
- Covers 7 areas
 - Air pollution
 - Prevention and recycling of waste
 - Protection of marine environment
 - Soil
 - Sustainable use of pesticides
 - Sustainable use of resources
 - Urban environment

REGULATORY LINKAGES FOR PESTICIDES



WHAT MIGHT THE PESTICIDES THEMATIC STRATEGY CONTAIN?



- Goal to reduce (impact of) pesticide use
- Complements 91/414
- Instruments
 - National plans to reduce hazards and risks
 - Best practice for water protection
 - Training and education
 - Testing and inspection of equipment
 - Promotion of integrated farming





THE SOIL THEMATIC STRATEGY

- Expected to be adopted shortly
- Three main components
 - Communication setting out the principles of soil protection
 - New Soil Framework Directive
 - Environmental, social and economic impact assessment



KEY WATER LEGISLATION



DIRECTIVE 2000/60/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

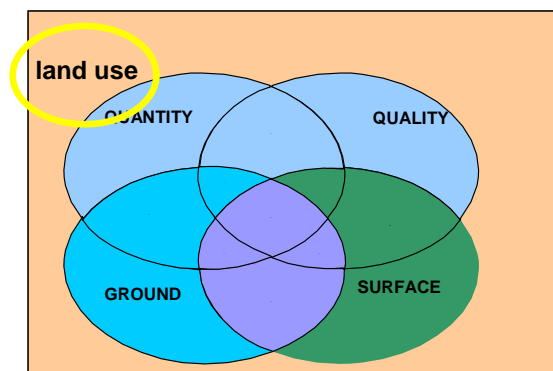
of 23 October 2000

establishing a framework for
Community action in the field of water
policy

Water is not a commercial product like any other but, rather a
heritage which must be protected, defended and treated as such

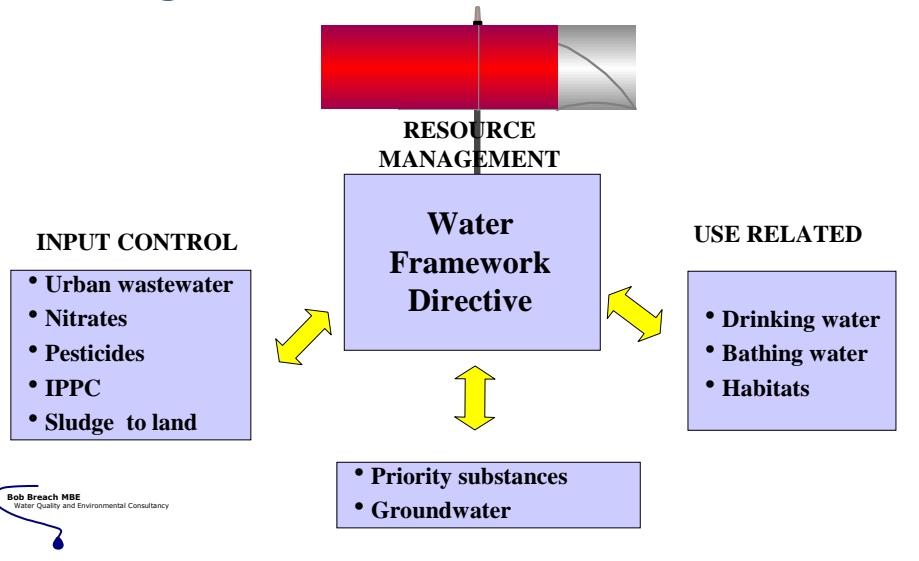


THE FIRST INTEGRATED WATER DIRECTIVE



Managed in defined River Basin Districts

A NEW TYPE OF UMBRELLA DIRECTIVE



KEY ASPECTS



- Sets long term clear goals for sustainability of water resources
- A common EU framework but with
 - Flexibility to reflect local situations
 - A range of options for Member States
 - Transparency and public participation
 - Economics a key aspect
- Overhaul of existing piecemeal legislation including new daughter directives for
 - Priority (dangerous) substances
 - Groundwater



BASIC REQUIREMENTS OF THE DIRECTIVE



COVERS ALL WATERS

- Rivers
- Groundwater
- Lakes (above a certain size)
- Coastal and transitional waters (estuaries)
- Heavily modified (e.g. urban rivers) or artificial (e.g. canals)

MAIN OBJECTIVES



The primary goal of "good" status

- Defined objectives for all water bodies
 - Surface water
 - Good (quality) status
 - Prevent deterioration
 - Defined actions for **priority (hazardous) substances**
 - Groundwater
 - **Good (quality and quantity) status**
 - Prevent deterioration
 - **Reverse upward trends**
 - Prevent and limit entry of pollutants
- Establishing a number of "Special protection areas"



Will be further defined in daughter directives

ASSESSING THE STATUS OF SURFACE WATER



- Status assessed using both:
 - Ecological criteria
 - Chemical criteria
- Must also ensure no deterioration (between classes)
- Must also meet **requirements for priority (hazardous) substances***



* To be defined further in daughter directive

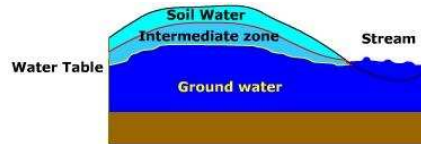
ASSESSING THE STATUS OF GROUNDWATER

- Status assessed using both:

- Quantitative criteria
- Chemical criteria*

- Must also

- Ensure no deterioration
- Reverse upward trends*
- Prevent and limit entry of pollutants



* To be defined further in daughter directive

ARTICLE 6 PROTECTED AREAS

- MS must establish and maintain a register of all areas designated as requiring special protection
- May well require more stringent goals than good status
 - Drinking water production (Art 7)
 - Economically significant species (e.g. shellfish)
 - Recreational waters (76/271/EEC)
 - Nutrient sensitive
 - Nitrate Vulnerable zones (91/676/EEC)
 - Urban Wastewater Sensitive areas (91/271/EEC)
 - Habitats and species
 - Habitats (92/43/EEC)
 - Birds (79/409/EEC)



DRINKING WATER PROTECTED AREAS



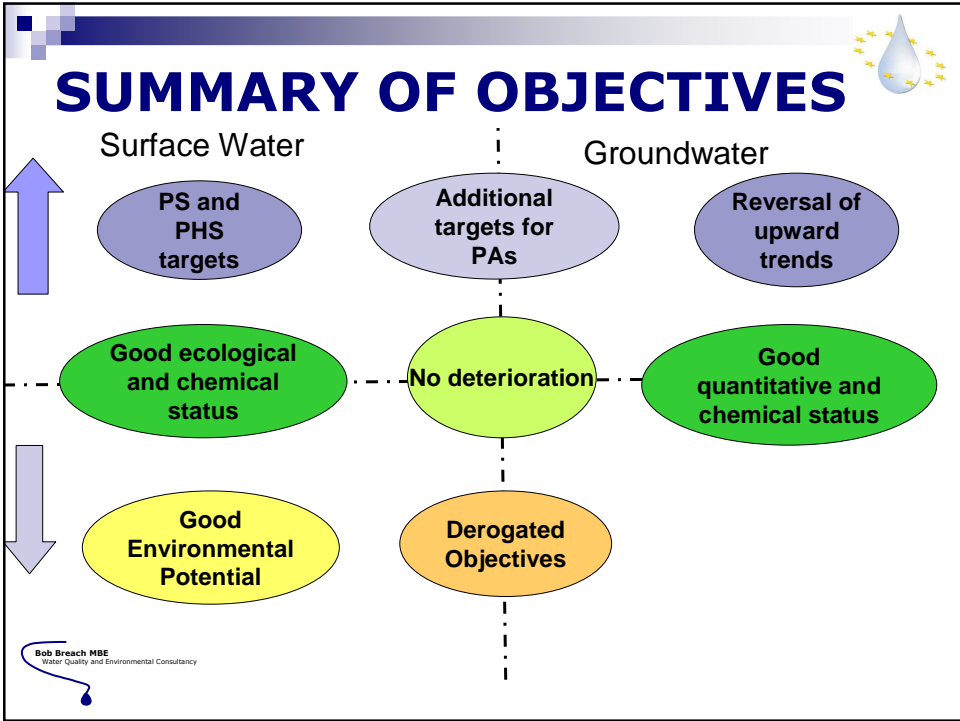
Article 7.1 : Identify within each river basin all bodies of water used for the abstraction of water intended for human consumption

- Applies to all abstractions >10m³
- Had to be designated by end 2004
- Requirements
 - Art 7.2 - "Under the water treatment regime applied the resulting water meets the requirements of 98/778/EC"
 - Art 7.3 - "reduce the level of purification treatment required in the production of drinking water"
 - Art 11.3.d - "POMs should include measures to reduce the level of purification needed for drinking water"

DEROGATIONS



- Possible but complex and with very big strings
- Main categories
 - Artificial or heavily modified waters (Art 4.3)
 - Extension of time(Art4.4)
 - Less stringent objectives (Art 4.5)
 - Temporary-floods and droughts (Art 4.6)
 - Not in breach if new modifications or sustainable development(Art4.7)
 - Derogations should affect minimum no of water bodies and not compromise other directives (Art 4.8)
- Many Governments assume easy to get "deadline is 2027+"
- EC says otherwise "deadline is 2015"

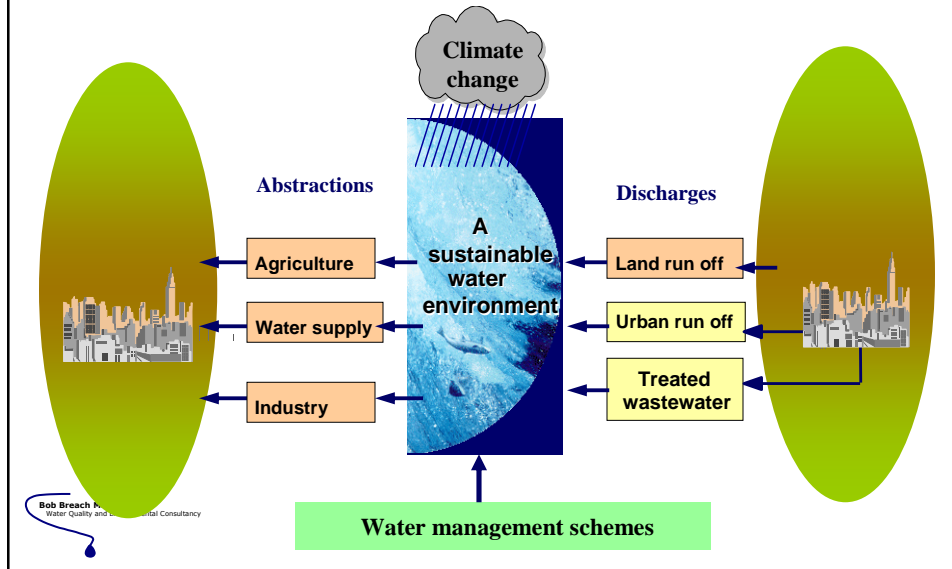


Directive Processes

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RIVER BASIN CHARACTERISATION

Art 5



Analysis of impacts and pressures

The gap between where we are now and good status or other objectives

Programme of measures

Closing the gap as part of a River Basin Management Plan (RBMP)

THE PROGRAMME OF MEASURES



Programme of measures
 - set out within RBMP
 - how to meet WFD Objectives

Basic measures
 - obligatory
 - existing EU Legislation
 - controls on main pressures

Supplementary measures
 - optional
 - non-exhaustive list of measures
 - projects, initiatives, codes of practice



THE INCENTIVISATION SPECTRUM



- The WFD allows MS a wide range of options to deliver its environmental objectives
- Incentivising consistently high levels of adoption of appropriate practice by all users is key for diffuse pollution
- But how do we get there and what is the right balance?
- But must have:
 - Proper fiscal incentives to reward the good guys
 - Regulatory penalties to deter the bad guys

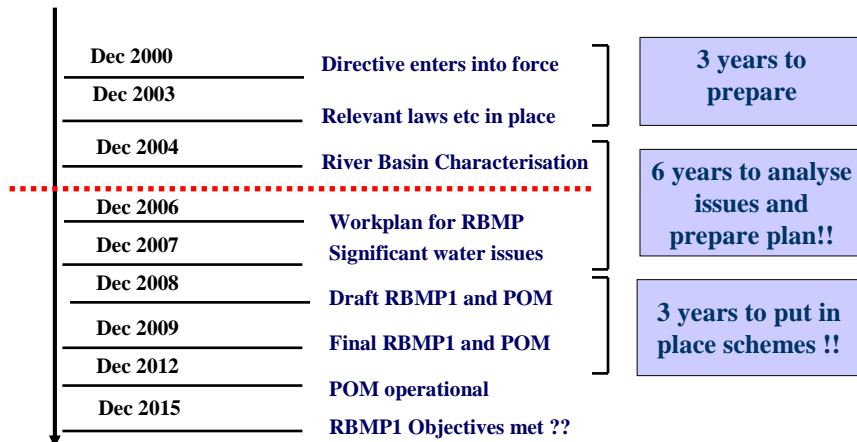




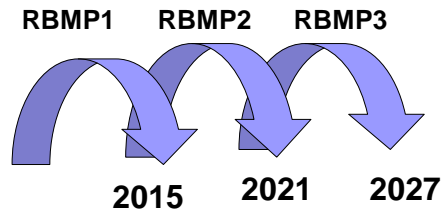
Timescales



THE WFD PLANNING TIMEFRAME



REPEATED IN 3x 6 YEAR CYCLES UNTIL 2027




THE DIRECTIVE IS

- Outcome focused - "Good status"


BUT IT ALSO REQUIRES....

- Proper economic assessment
 - Cost effectiveness
 - Disproportionality
 - Equitable cost recovery
- Active involvement by the public
 - Article 14: Member States shall *encourage the active involvement* of all interested parties in the implementation of this directive






DAUGHTER DIRECTIVES



Priority Substances Directive





PRIORITY SUBSTANCES - "SON OF RED LIST"

- Substances posing a significant risk to or via the aquatic environment
- Initial list of 33 substances or groups of substances proposed through a process of risk assessment- will be regularly updated
- Three sub categories
 - priority hazardous
 - (priority substances under review)
 - priority substances which are not priority hazardous substances
- EC to submit measures for PHS by Dec 2003 but running late
- Measures to achieve objectives within 20 years (i.e. by 2020)



PRIORITY HAZARDOUS SUBSTANCES

- Cadmium and compounds
- Mercury and compounds
- PAHs
- Nonyl Phenols
- Tri butyl tin cmpds
- HCBenz; HCButa ; HCCH (lindane)
- Pentachlorobenzene
- Brominated diphenyl ethers
- C10-13 Chloroalkanes

• **Substances which are toxic, persistent and liable to bioaccumulate or give rise to an equivalent level of concern**

• **Measures to be adopted aimed at the cessation or phasing out of discharges, emissions and losses**

• **Ultimate aim "approaching background levels" for natural substances and "close to zero" for manmade synthetic substances**



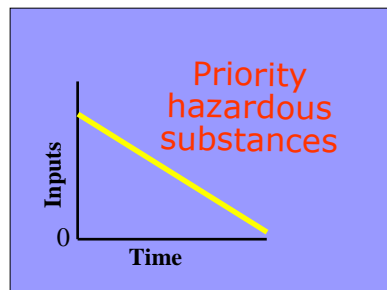
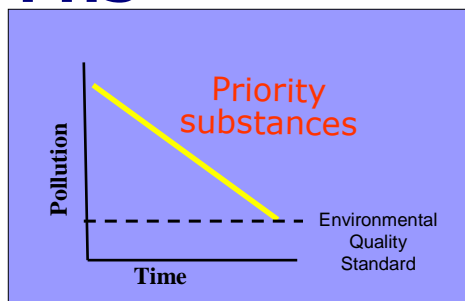
PRIORITY SUBSTANCES

- Includes a list of other compounds to be controlled within specified EQS values
- Approach to be "combined" i.e. emission limits and quality standards
- Includes
 - A number of pesticides
 - Some chlorinated solvents
 - Lead and compounds
 - Nickel and compounds

- Alachlor
- **Atrazine**
- Chlorfenvinphos
- Chlorpyrifos
- Diuron
- Endosulphan
- Isoproturon
- Simazine
- Triflualin



OBJECTIVES FOR PS AND PHS





Groundwater Daughter Directive



THE CURRENT COMPROMISE PROPOSAL



- EU wide standards for nitrate and pesticides based on drinking water criteria
- Threshold values at MS state level for:
 - Natural/man-made including: As,Cd,Pb,Hg,NH₄,Cl,SO₄
 - Man made including: TriCE, TetraCE
 - Saline intrusion including: Conductivity
- Requirements for establishing upward trends



PROGRESS SO FAR WITH WFD AND INITIAL ASSESSMENTS




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WHAT IS KNOWN SO FAR?

- Too early to get complete picture across Europe
- Art 5 reports should start to provide better idea in due course-EC will issue summary "soon"
- Provisional feedback is that most countries have issues with
 - Agriculture and diffuse pollution
 - Morphological change
- Industry not a general problem although issues with specific sectors in some countries
- Also need to look at interaction with other policy areas e.g. climate change, CAP, flooding, structural funds



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THE NEW PRESSURES

- Dealing with the new pressures
 - Diffuse pollution
 - Agriculture and land use
 - Urban environment
 - Morphological changes
- Whilst taking into account a changing climate
- Will need some radical new approaches



REQUIRES NEW THINKING ON



- Land and water interaction
- More holistic management of chemicals
 - In the domestic environment
 - In the urban landscape
 - In managing land
- Management of extreme water events
- And effective use of economics and public participation



**ARE YOU WILLING TO
ACCEPT THESE NEW
CHALLENGES ?**



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**A
sustainable
water
environment**

Thank you

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