



Update on Water related EU regulations Managing engagement with regulators

Dominique DARMENDRAIL

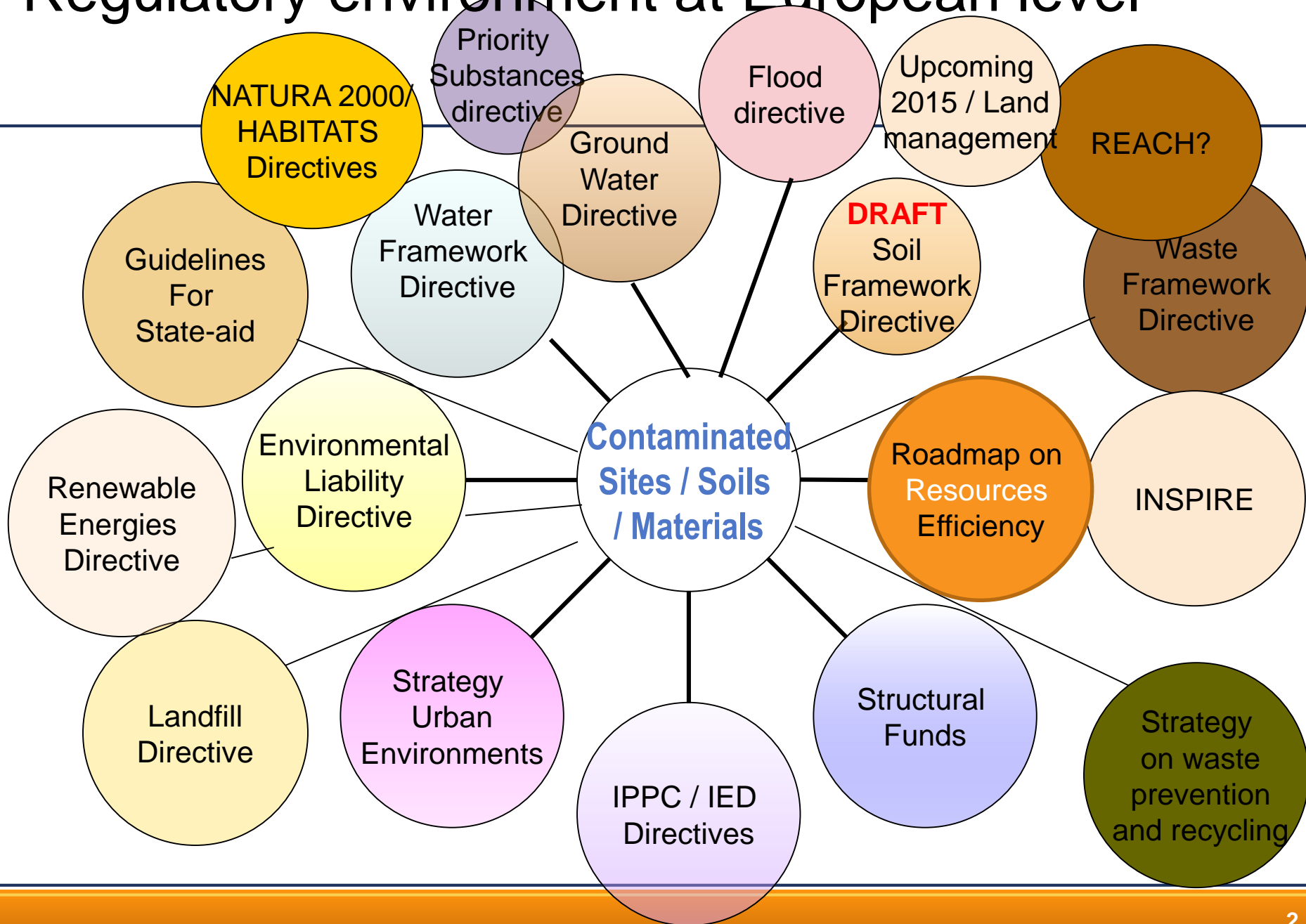
October 2017

Legislation applying to Contaminated Land Management

- ◆ Two levels of legislation:
 - The National / Regional level
 - The European Union level



Regulatory environment at European level



Water Framework Directive

WFD

Adopted on 20.12.2000

River Basin Districts
Delineation of water bodies
2005

Analysis of pressures
and impacts
2005

Design of monitoring
programmes
2006

RBMP 2009 / 15 / 21 / 27

Programmes of
Measures
2012

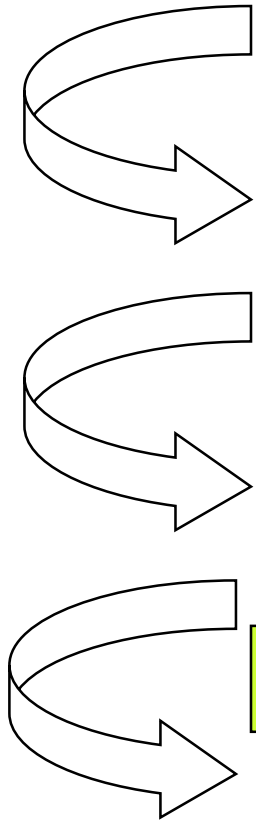
GOOD STATUS
OBJECTIVE

Classification of water bodies
“at risk”

Taking in account the classification:

- Surveillance monitoring
- Operational monitoring
(+ investigative monitoring)

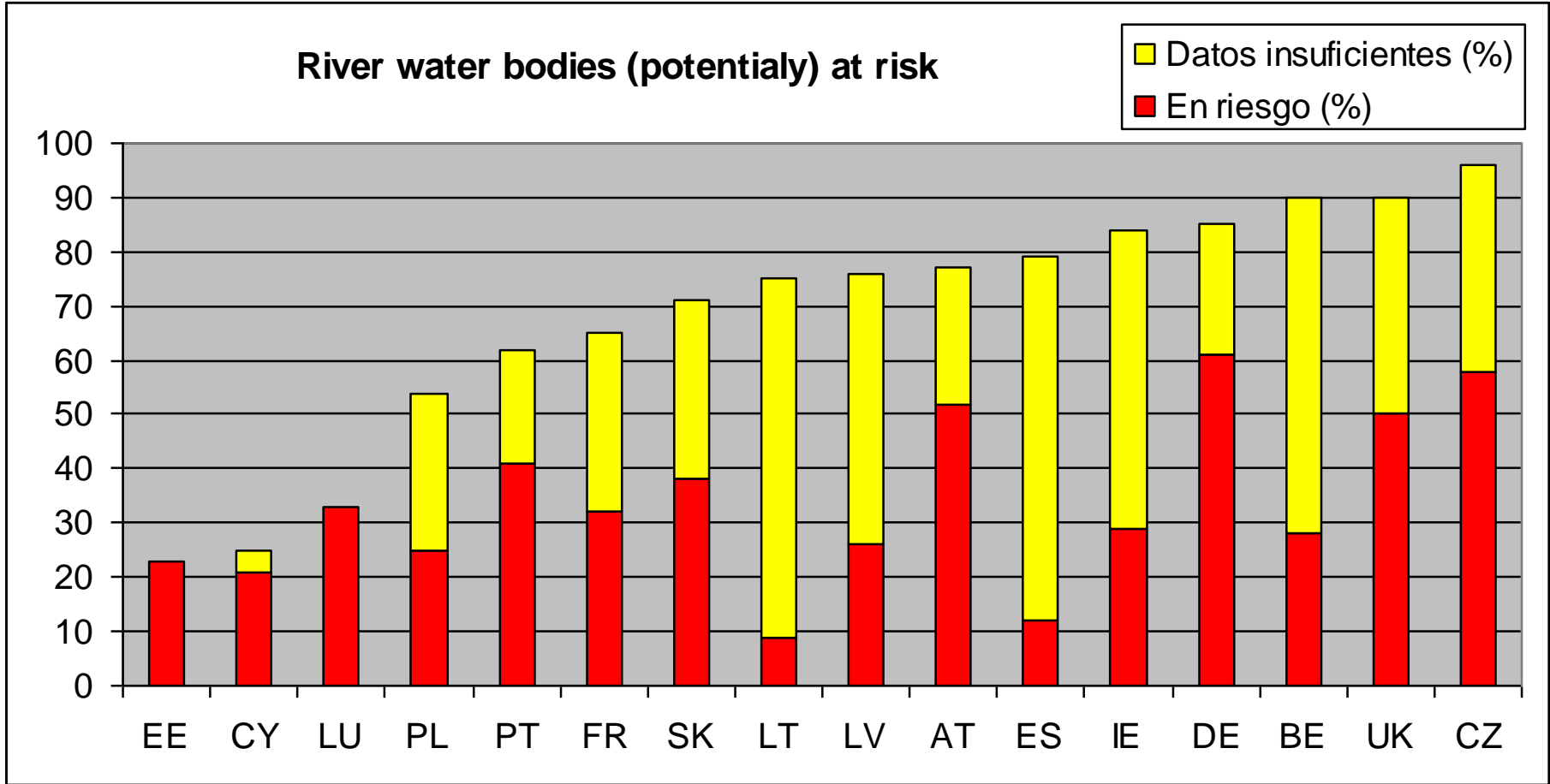
6 years cycle / Review



The WFD principles

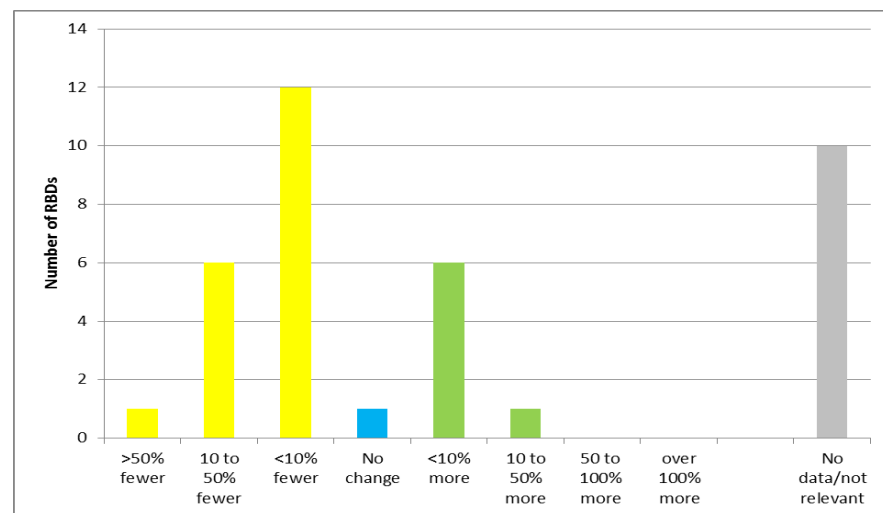
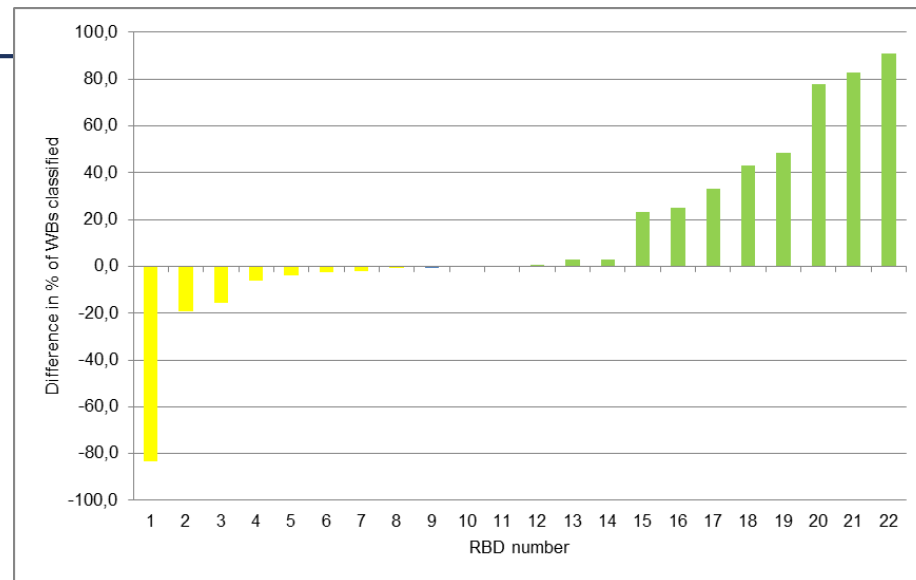
- Protecting all waters, surface and ground waters
- Covering all impacts on waters.
- Good quality ('good status') to be achieved, as a rule, by 2015
- Water quality defined in terms of biology, chemistry and morphology
- Management of the River Basin.
- The challenge of shared river basins
- River Basin Management Plans
- Cost Recovery and Equitable Charging
- Public Participation

2006 Status



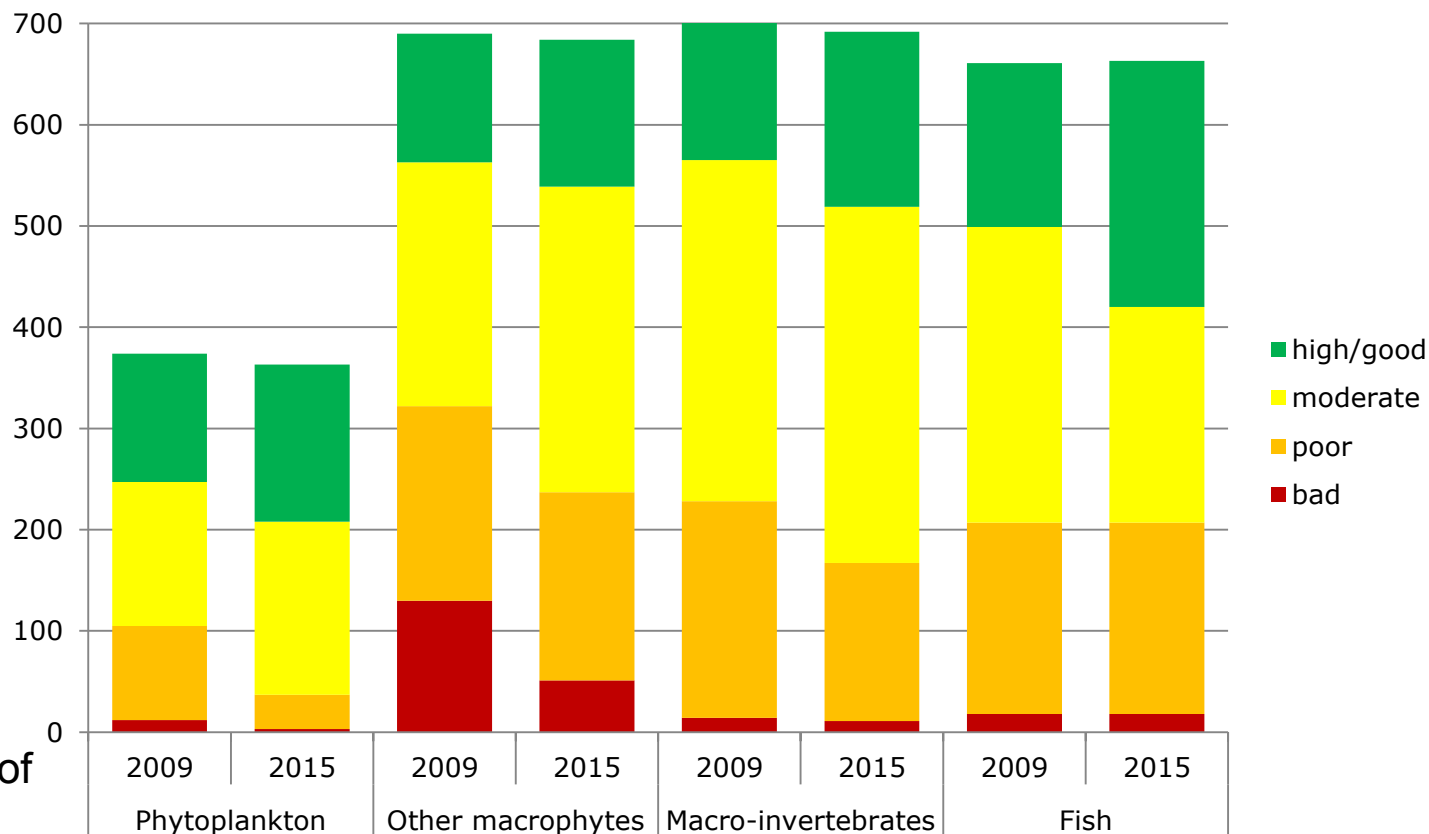
WFD: 2015 Basic statistics

- ◆ SW chemicals status: A decrease is shown for 11 RBDs and an increase also in 11 RBDs.
- ◆ For GW chemical status: No change was indicated for 1 RBD, a decrease is shown for 19 RBDs and an increase in 7 RBDs.



MS Requests before launching new tools

- ◆ Standardization and EU approval needed for comparability between member states and acceptability within member states



Data: draft 2nd RBMP's of the Netherlands

The priority substances within WFD (1/2)

- ◆ Article 16 of the Water Framework Directive (2000/60/EC) (WFD) sets out "Strategies against pollution of water",
- ◆ Decision 2455/2001/EC - First list of priority substances to become Annex X of the WFD.
- ◆ First list replaced by Annex II of the Directive on Environmental Quality Standards (Directive 2008/105/EC) (EQSD),
- ◆ 2012 proposal for a Directive amending the WFD and the EQSD as regards priority substances.

The priority substances within WFD (1/2)

- ◆ **Proposal (COM(2011)876)** - Revised (second) list of priority substances, and provisions to improve the functioning of the legislation:
 - 15 additional priority substances, 6 of them designated as priority hazardous substances;
 - Stricter EQS for four existing priority substances and slightly revised EQS for three others;
 - Designation of two existing priority substances as priority hazardous substances;
 - Introduction of biota standards for several substances;
 - Provisions to improve the efficiency of monitoring and the clarity of reporting
 - a provision for a watch-list mechanism

Latest developments

◆ Priority Substances Directive:

- 6 Substances Mandatory
- Watch List, for the identification of problematic substances that are eligible for inclusion on the list of priority substances
- Identification of 15 PS to be added in the future

◆ need for laboratories to develop and demonstrate technical capability to measure the compounds by December 2018, to enable the continuation of water quality monitoring.

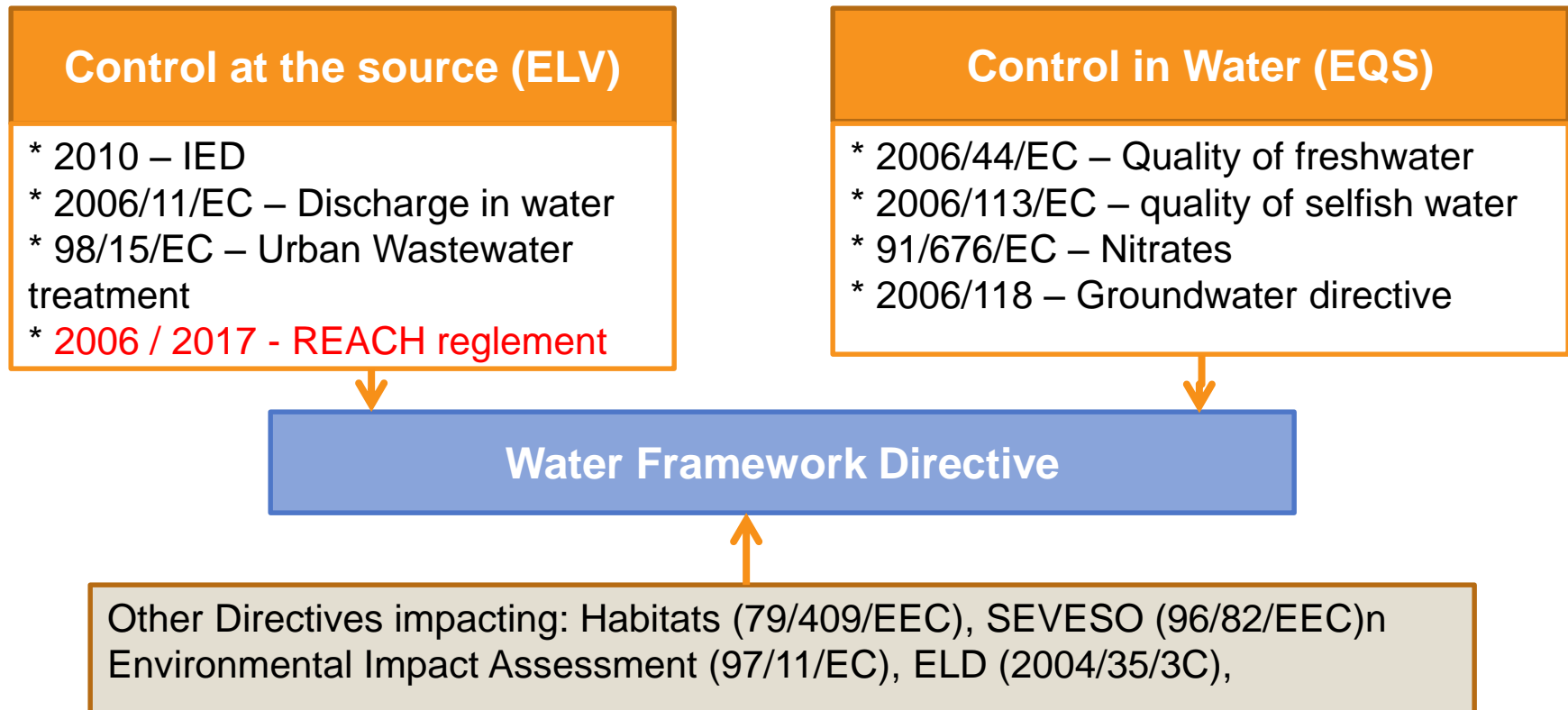
- dicofol, perfluorooctane sulfonic acid and its derivatives (PFOS), quinoxifen, dioxins and dioxin-like compounds, aclonifen, bifenox, cybutryne, cypermethrin, dichlorvos, hexabromocyclododecanes (HBCDD), heptachlor/heptachlor epoxide and terbutryn

List of future 15?

- ◆ Plant protection product substances: Aclonifen, Bifenox, Cypermethrin, Dicofol, Heptachlor, Quinoxifen;
- ◆ Substances used in biocidal products: Cybutryne, Dichlorvos, Terbutryn;
- ◆ Industrial chemicals: Perfluorooctane sulfonic acid (PFOS), Hexabromocyclododecane (HBCDD);
- ◆ Combustion by-products: Dioxin and Dioxin-Like PCBs;
- ◆ Pharmaceutical substances: 17 alpha-ethinylestradiol (EE2), 17 beta-estradiol (E2), Diclofenac;

Sediments / Legal Framework

- ◆ Soil (origin of sediments) or water (good status of water resources)?



Known and future challenges

- ◆ Accurate detection and analysis

- ◆ Monitoring conditions:
 - Periodicity?
 - Monitoring network design?

- ◆ When / how to stop monitoring? For being able « to close remediation project
 - Risk-based? Points of compliance?
 - Pratical « lines of evidence » approach?
 - > An idea for a CF/ ICCL survey?

◆ Thanks for your attention!



More information on:
www.commonforum.eu
www.iccl.ch