



Plenary sitting

A9-0238/2023

12.7.2023

*****I**
REPORT

on the proposal for a directive of the European Parliament and of the Council amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy (COM(2022)0540 – C9-0361/2022 – 2022/0344(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Milan Brglez

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

| | Page |
|---|-------------|
| DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION | 5 |
| EXPLANATORY STATEMENT | 94 |
| ANNEX: LIST OF ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT | 97 |
| OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY | 98 |
| OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT | 118 |
| PROCEDURE – COMMITTEE RESPONSIBLE | 146 |
| FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE | 148 |

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a directive of the European Parliament and of the Council amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy
(COM(2022)0540 – C9-0361/2022 – 2022/0344(COD))**

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0540),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0361/2022),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the Economic and Social Committee of 22 February 2023¹,
 - after consulting Committee of the Regions
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinions of the Committee on Industry, Research and Energy, and the Committee on Agriculture and Rural Development,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0238/2023),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

¹ OJ C 146, 27.4.2023, p. 41.

Proposal for a directive
Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) Water is not a commercial product like any other but, rather, a common good and a heritage, which needs to be protected, and treated as such, in order to ensure that ecosystems are preserved and that there is universal access to clean water.

Amendment 2
Proposal for a directive
Recital -1 a (new)

Text proposed by the Commission

Amendment

(-1a) The United Nations General Assembly recognised, on 28 July 2010, the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights. Following the success of the 2014 European Citizen's Initiative entitled 'Right2Water' a proposal for the revision of the Directive on drinking water was adopted by the Commission in 2018 and the corresponding amended Directive entered into force on 12 January 2021. That Directive lays down an obligation for Member States to improve access to water intended for human consumption while relying, inter alia, on the knowledge gained and actions carried out under Directive 2000/60/EC. Member States should also ensure the effectiveness of the right to clean water and sanitation by improving the quality of both surface water and groundwater.

Amendment 3
Proposal for a directive
Recital 1

Text proposed by the Commission

(1) Chemical pollution of surface and groundwater poses a threat to the aquatic environment, with effects such as acute and chronic toxicity in aquatic organisms, accumulation of pollutants in the ecosystem and loss of habitats and biodiversity, as well as to human health. Setting environmental quality standards helps to implement the zero pollution ambition for a toxic-free environment.

Amendment

(1) Chemical pollution of surface and groundwater poses a threat to the aquatic environment, with effects such as acute and chronic toxicity in aquatic organisms, accumulation of pollutants in the ecosystem and loss of habitats and biodiversity, as well as to human health. Setting environmental quality standards helps to implement the zero pollution ambition for a toxic-free environment, ***one of the priority goals of the 8th Environmental Action Programme^{1a}***.

^{1a} Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030

Amendment 4
Proposal for a directive
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) According to the European Environment Agency, around 90 % of the area of groundwater bodies is reported to be in good quantitative status, around 75 % of the groundwater body area is in good chemical status, 40 % of surface water bodies are in good or high ecological status, and 38 % of surface water bodies are in good chemical status, while the European Environment Agency's report of 4 December 2019 entitled 'The European environment – state and outlook 2020: Knowledge for transition to a sustainable Europe' found that reduced pollution has improved water quality, but that the Union was far from achieving good ecological status for all water bodies by 2020.

Amendment 5

Proposal for a directive
Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) The 2019 Fitness Check of the Water Framework Directive ('the Fitness Check') concluded in its evaluation that the next round of programmes of measures will play a key role in ensuring the necessary progress towards achieving the environmental objectives of Directive 2000/60/EC by the 2027 deadline, and stated that currently more than half of all European water bodies are exempt under Directive 2000/60/EC, which makes the challenges for Member States to achieve the Environmental Quality Standards for priority substances within the given deadline, more than substantial. In addition, the Fitness Check concluded that the environmental objectives have not been reached fully largely due to insufficient funding, slow implementation and insufficient integration of environmental objectives in sectoral policies, and not due to a deficiency in the legislation.

Amendment 6
Proposal for a directive
Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) Due to geographical and socioeconomic factors, some populations, including indigenous peoples, are more vulnerable to water pollution. The mining sector in the European Union is expected to grow to ensure the development of the net zero industry. As stated in Report 09/2021 from the European Environmental Agency^{1a}, the mining sector directly impacts water quality and quantity. It is, therefore, necessary to better implement the existing legislative frameworks and to plan and control water

use and discharge also in mining operations.

^{1a} Drivers of and pressures arising from selected key water management challenges : A European overview, report 09/2021, EEA

Amendment 7

Proposal for a directive Recital 1 d (new)

Text proposed by the Commission

Amendment

(1d) Many territories in the Union are subject to large and increasing water constraints. The significant and persistent droughts of recent years, especially in the Mediterranean regions, are putting agricultural production at risk and causing a serious decline in surface and groundwater reserves ^{1a}.

1a

<https://www.oecd.org/agriculture/topics/water-and-agriculture/>

Amendment 8

Proposal for a directive Recital 1 e (new)

Text proposed by the Commission

Amendment

(1e) Water is a public good for the benefit of all, which as an essential natural resource that is irreplaceable and indispensable to life, and which needs to be carefully considered in the light of its social, economic and environmental dimensions. Climate change, including the increased frequency of natural disasters and extreme weather events, and the degradation of biodiversity, both

negatively affect water quality and quantity, leading to pressure on sectors dependent on the availability of water, particularly agriculture.

Amendment 9

Proposal for a directive Recital 1 f (new)

Text proposed by the Commission

Amendment

(1f) *While in its 2018 Report on “European waters - assessment of status and pressures”, the European Environment Agency (EEA) identified certain agricultural practices as obstacles to achieving good chemical status of groundwater in the Union, leading to nitrate and pesticide pollution, a steady decrease in use of mineral fertilisers and in nutrient surpluses has been observed in the Union over the last decades ^{1a}. Other significant sources of pollution are discharges that are not connected to a sewerage system, contaminated sites or abandoned industrial sites.*

1a

<https://www.eea.europa.eu/publications/state-of-water>

Amendment 10

Proposal for a directive Recital 1 g (new)

Text proposed by the Commission

Amendment

(1g) *Good status of water bodies and efficient management of water resources represents a priority for agriculture, since farmers rely on water to conduct their activity, and as such, have a vested interest in the sustainable use of such*

resources.

Amendment 11

Proposal for a directive

Recital 1 h (new)

Text proposed by the Commission

Amendment

(1h) In order to facilitate a transition to a more sustainable and productive agricultural sector that is resilient as regards water constraints, incentives should be put in place for farmers to improve water management and modernisation of irrigation systems and techniques.

Amendment 12

Proposal for a directive

Recital 1 i (new)

Text proposed by the Commission

Amendment

(1i) Pesticide use can severely affect water quality and the quantity of water available for agricultural use, leading to negative impacts on both aquatic and terrestrial biodiversity. It is therefore appropriate to monitor the impact and ecotoxicological fate of pesticides and their metabolites in water bodies.

Amendment 13

Proposal for a directive

Recital 1 j (new)

Text proposed by the Commission

Amendment

(1j) It is essential to consider the efforts achieved so far in sectors such as agriculture, where it has already been possible to reduce phytosanitary

contamination by 14 % compared to 2015-2017 and by 26 % if considering the most harmful pollutants. The figures, therefore, show a continuous reduction in the use and risk of chemicals, with 2020 being the second consecutive year in which there has been a significant reduction in the use of pesticides, especially the most dangerous^{1a}.

1a

https://food.ec.europa.eu/plants/pesticides/sustainable-use-pesticides/farm-fork-targets-progress/eu-trends_en

Amendment 14

Proposal for a directive Recital 1 k (new)

Text proposed by the Commission

Amendment

(1k) Chemical pollution of surface and groundwater also poses a threat to agriculture by limiting the availability of water suitable for crop irrigation, and further aggravating water scarcity. The Union and Member States should, therefore, increase support for research and innovation to rapidly deploy solutions to tackle surface and groundwater scarcity and pollution, including digitalisation, precision agriculture, optimised irrigation and modernisation of irrigation and a circular use of resources, for improved climate-resilient water management and a more targeted application of pesticides and fertilisers for crops, less polluting and safer alternatives to agricultural inputs, more resistant and nutrient-efficient varieties of crops and increased usage of treated wastewater for agricultural irrigation. This should contribute to achieving a sustainable and resilient Union food system while reducing diffuse pollution from agriculture and the need for agricultural

abstraction.

Amendment 15

Proposal for a directive Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) In seeking to achieve a high level of environmental protection and in implementing the Zero Pollution Action Plan, the Union should take account of the diversity of situations in the different regions of the Union, the impact on food security, food production and food affordability, as well as healthy and sustainable diets.

Amendment 16

Proposal for a directive Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The objectives of achieving “good status of water bodies” and ensuring water availability are cross-cutting and are often not pursued in a sufficiently coherent way. Good water management should be mainstreamed in all Union policies concerning water-using sectors.

Amendment 17

Proposal for a directive Recital 3 b (new)

Text proposed by the Commission

Amendment

(3b) The Fitness Check pointed out that better integration of water objectives in agricultural policy was necessary. The new CAP introduced measures making

water management more sustainable. In order to have enhanced coherence between agriculture and water policy, Member States should make full use of the opportunities available in the new CAP and integrate water issues fully in their strategic plans, including use of the Agricultural Knowledge and Innovation Systems (AKIS), and facilitate the development of advisory services to promote best practices concerning water management.

Amendment 18

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) Directive 2000/60/EC of the European Parliament and of the Council⁴⁵ establishes a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater. That framework involves the identification of priority substances amongst those that pose a significant risk to, or via, the aquatic environment at Union level. Directive 2008/105/EC of the European Parliament and of the Council⁴⁶ lays down Union-wide environmental quality standards (EQS) for the 45 priority substances listed in Annex X to Directive 2000/60/EC and eight other pollutants that were already regulated at Union level before Annex X was introduced by Decision No 2455/2001/EC of the European Parliament and of the Council⁴⁷. Directive 2006/118/EC of the European Parliament and of the Council⁴⁸ lays down Union-wide groundwater quality standards for nitrates and for active substances in pesticides and criteria for establishing national threshold values for other groundwater pollutants. It also sets out a minimum list of 12 pollutants and their indicators for which

Amendment

(4) Directive 2000/60/EC of the European Parliament and of the Council⁴⁵ establishes a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater. That framework involves the identification of priority substances amongst those that pose a significant risk to, or via, the aquatic environment at Union level. Directive 2008/105/EC of the European Parliament and of the Council⁴⁶ lays down Union-wide environmental quality standards (EQS) for the 45 priority substances listed in Annex X to Directive 2000/60/EC and eight other pollutants that were already regulated at Union level before Annex X was introduced by Decision No 2455/2001/EC of the European Parliament and of the Council⁴⁷. Directive 2006/118/EC of the European Parliament and of the Council⁴⁸ lays down Union-wide groundwater quality standards for nitrates and for active substances in pesticides and criteria for establishing national threshold values for other groundwater pollutants. It also sets out a minimum list of 12 pollutants and their indicators for which

Member States are required to *consider establishings* such national threshold values. The groundwater quality standards are set out in Annex I to Directive 2006/118/EC.

Member States are required to *establish* such national threshold values. The groundwater quality standards are set out in Annex I to Directive 2006/118/EC.

⁴⁵ 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 (OJ L 327, 22.12.2000, p. 1).

⁴⁵ 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 (OJ L 327, 22.12.2000, p. 1).

⁴⁶ Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84).

⁴⁶ Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84).

⁴⁷ Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (OJ L 331, 15.12.2001, p. 1).

⁴⁷ Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC (OJ L 331, 15.12.2001, p. 1).

⁴⁸ Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (OJ L 372, 27.12.2006, p. 19).

⁴⁸ Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (OJ L 372, 27.12.2006, p. 19).

Justification

Annex II, Part B contains well-known highly toxic substances such as inter alia cadmium, lead and mercury. Member States should not just consider establishing thresholds for such substances, but actually do so.

Amendment 19 Proposal for a directive Recital 4 a (new)

(4a) Member States should ensure that pollution through the discharge, emission or loss of priority hazardous substances ceases or is phased out within an appropriate timeline and, in any case, not later than 20 years after a given priority substance is listed as hazardous in Part A of Annex I to Directive 2008/105/EC. That timeline should apply without prejudice to the application of stricter timelines in any other applicable Union legislation.

Amendment 20
Proposal for a directive
Recital 5

(5) Substances are considered for listing in Annex X to Directive 2000/60/EC or in Annex I or Annex II to Directive 2006/118/EC based on an assessment of the risk they pose to humans and the aquatic environment. The key components of that assessment are knowledge of the environmental concentrations of the substances, including information collected from watch-list monitoring, and of the (eco)toxicology of the substances, as well as of their persistence, bioaccumulation, carcinogenicity, mutagenicity, reprotoxicity and endocrine disrupting potential.

(5) Substances are considered for listing in Annex X to Directive 2000/60/EC or in Annex I or Annex II to Directive 2006/118/EC based on an assessment of the risk they pose to humans and the aquatic environment. The key components of that assessment are knowledge of the environmental concentrations of the substances, including information collected from watch-list monitoring, and of the (eco)toxicology of the substances, as well as of their persistence, bioaccumulation, ***toxicity, mobility***, carcinogenicity, mutagenicity, reprotoxicity and endocrine disrupting potential.

Amendment 21
Proposal for a directive
Recital 7

(7) A combination of source-control and end-of-pipe measures is required to effectively deal with most pollutants across

(7) A combination of source-control and end-of-pipe measures is required to effectively deal with most pollutants across

their life cycle, including, as relevant, chemical design, authorisation or approval, control of emissions during manufacturing and use or other processes, and waste handling. The setting of new or stricter quality standards in water bodies therefore complements and is coherent with other Union legislation that addresses or *could* address the pollution problem at one or more of those stages, including Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁴⁹, Regulation (EC) No 1107/2009 of the European Parliament and of the Council⁵⁰, Regulation (EU) No 528/2012 of the European Parliament and of the Council⁵¹, Regulation (EU) 2019/6 of the European Parliament and of the Council⁵², Directive 2001/83/EC of the European Parliament and of the Council⁵³, Directive 2009/128/EC of the European Parliament and of the Council⁵⁴, Directive 2010/75/EU of the European Parliament and of the Council⁵⁵ and Council Directive 91/271/EEC⁵⁶.

⁴⁹ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH),

their life cycle, including, as relevant, chemical design, authorisation or approval, control of emissions during manufacturing and use or other processes, and waste handling. The setting of new or stricter quality standards in water bodies therefore complements and is coherent with other Union legislation that addresses or *should* address the pollution problem at one or more of those stages, including Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁴⁹, Regulation (EC) No 1107/2009 of the European Parliament and of the Council⁵⁰, Regulation (EU) No 528/2012 of the European Parliament and of the Council⁵¹, Regulation (EU) 2019/6 of the European Parliament and of the Council⁵², Directive 2001/83/EC of the European Parliament and of the Council⁵³, Directive 2009/128/EC of the European Parliament and of the Council⁵⁴, Directive 2010/75/EU of the European Parliament and of the Council⁵⁵ and Council Directive 91/271/EEC⁵⁶. ***In order for the Member States to achieve the environmental objectives laid down in Article 4 of Directive 2000/60/EC in the best and most cost-effective way possible, they should ensure, when establishing their programmes of measures, that source-control measures are prioritized over end-of-pipe measures and that those measures are in accordance with relevant Union sectoral legislation on pollution. When there is a risk of source-control measures failing to achieve good status of the water bodies, end-of-pipe measures should be applied. The Commission should develop guidance on best practices for source-control measures and the complementarity of end-of-pipe measures.***

⁴⁹ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH),

establishing a European Chemicals Agency (OJ L 396, 30.12.2006, p. 1).

⁵⁰ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

⁵¹ Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

⁵² Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43).

⁵³ Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

⁵⁴ Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, (OJ L 309, 24.11.2009, p. 71).

⁵⁵ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁵⁶ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (OJ L 135, 30.5.1991, p. 40).

establishing a European Chemicals Agency (OJ L 396, 30.12.2006, p. 1).

⁵⁰ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

⁵¹ Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

⁵² Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43).

⁵³ Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

⁵⁴ Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, (OJ L 309, 24.11.2009, p. 71).

⁵⁵ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁵⁶ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (OJ L 135, 30.5.1991, p. 40).

Amendment 22
Proposal for a directive
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Water pollution is mainly the result of industrial and agricultural activities, sewage discharges, and urban runoff, including storm water. The Commission and the Member States should prioritise in their actions measures reducing pollution at source, as well as their enforcement. To this end, coherence between all pieces of Union and national legislation addressing pollutant emissions at source should be ensured in order to reduce pollution to levels no longer considered harmful to health and natural ecosystems.

**Amendment 23
Proposal for a directive
Recital 7 b (new)**

Text proposed by the Commission

Amendment

(7b) In order to ensure the legislation intended for preventing pollution of surface water and groundwater is up to date in relation to the fast-evolving pace of new and emerging chemicals that have the potential, as pollutants, to cause significant risks to human health and the aquatic environment, policy mechanisms to detect and assess such substances of emerging concern should be strengthened. In this regard, an approach that allows monitoring and analysis of additional numbers of such substances or groups of substances under the watch lists for surface water and groundwater should be devised. The substances or group of substances to be placed on the watch list should be selected from amongst those substances for which the information available indicates that they could pose a significant risk at Union level to, or via, the aquatic environment, and for which the monitoring data are insufficient. The number of such substances or groups of substances to be monitored and analysed under the watch lists for surface water

and groundwater should not be limited.

Amendment 24
Proposal for a directive
Recital 8

Text proposed by the Commission

(8) The new scientific knowledge points to a significant risk from several other pollutants found in water bodies, in addition to those already regulated. In groundwater, a particular problem has been identified through voluntary monitoring for per- and polyfluoroalkyl substances (PFAS) and pharmaceuticals. PFAS have been detected at more than 70% of the groundwater measuring points in the Union and existing national thresholds are clearly exceeded at a considerable number of locations, and pharmaceutical substances are also widely found. In surface waters, perfluorooctane sulfonic acid and its derivatives are already listed as priority substances, but other PFAS are now also recognised to pose a risk. Watch-list monitoring under Article 8b of Directive 2008/105/EC has confirmed a risk in surface waters from a number of pharmaceutical substances which should therefore be added to the priority substances list.

Amendment

(8) The new scientific knowledge points to a significant risk from several other pollutants found in water bodies, in addition to those already regulated. In groundwater, a particular problem has been identified through voluntary monitoring for per- and polyfluoroalkyl substances (PFAS) and pharmaceuticals. PFAS have been detected at more than 70% of the groundwater measuring points in the Union and existing national thresholds are clearly exceeded at a considerable number of locations, and pharmaceutical substances are also widely found. ***A subset of specific PFAS as well as of PFAS total should therefore be added to the list of groundwater pollutants.*** In surface waters, perfluorooctane sulfonic acid and its derivatives are already listed as priority substances, but other PFAS are now also recognised to pose a risk. ***A subset of specific PFAS as well as of PFAS total should therefore be added to the list of priority substances. In order to ensure a harmonised approach and level playing field in the Union, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend Annex I to Directive 2006/118/EC by setting a quality standard for PFAS total.*** Watch-list monitoring under Article 8b of Directive 2008/105/EC has ***also*** confirmed a risk in surface waters from a number of pharmaceutical substances which should therefore be added to the priority substances list.

Amendment 25

(8a) Glyphosate is the most frequently used herbicide within the Union for agricultural use. As an active substance, it has raised serious concerns in terms of its impact on human health and aquatic toxicity. In December 2022, the Commission decided to grant a temporary extension of the glyphosate marketing authorisation for one additional year, pending the European Food Safety Authority's reassessment of the active substance due in July 2023. Various recent scientific studies^{1a} suggest, however, that an environmental quality standard (EQS) lower than 0,1 µg /L for all surface water bodies should be considered based on the aquatic toxicity of glyphosate, AMPA and glyphosate-based herbicides. Considering the ongoing assessments by competent Union regulators and the scientific findings of relevant studies regarding the impacts of glyphosate on aquatic life, and for the purpose of ensuring the good chemical status of the majority of Union waters, based on the precautionary principle, a common and unified AA-EQS for inland surface waters and, separately, for other surface waters, should be adopted in relation to glyphosate.

^{1a} Transcriptomic signalling in zebrafish embryos exposed to environmental concentrations of glyphosate, 2022. Effects of low-concentration glyphosate and aminomethyl phosphonic acid on zebrafish embryo development, 2021. Global transcriptomic profiling demonstrates induction of oxidative stress and compensatory cellular stress responses in brown trout exposed to glyphosate and Roundup, 2018.

Amendment 26
Proposal for a directive
Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) Atrazine is a herbicide used for annual broad-leaved weeds and annual grasses in cereals. The use of atrazine in plant protection products is no longer authorised within the Union pursuant to Commission Decision 2004/248/EC^{1a}. Atrazine has been proven to be an endocrine disruptor, with evidence that it interferes with reproduction and development, and it could be a cause of cancer. The European Environmental Agency, assessing pesticides against effect or quality thresholds between 2013 and 2020, found that exceedances of one or more pesticides, mainly exceedances of atrazine and its metabolites, were detected at between 4% and 11% of groundwater monitoring sites. Considering its persistent presence in Union surface and groundwater and in order to ensure the threshold values for atrazine do not exceed the total pesticides and metabolites EQS, the threshold value for atrazine in Annex I to Directive 2008/105/ EC should be adjusted, also in accordance with the threshold value for the same substance set in Directive (EU) 2020/2184^{1b}.

^{1a} Commission Decision of 10 March 2004 concerning the non-inclusion of atrazine in Annex I to Council Directive 91/414/EEC and the withdrawal of authorizations for plant protection products containing this active substance, OJ L 78.

^{1b} Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (recast).

Amendment 27
Proposal for a directive
Recital 8 c (new)

Text proposed by the Commission

Amendment

(8c) According to SCHEER^{1a} and EMA^{1b}, the generic quality standard of 0,1 µg/L and 0,5 µg/L for groundwater, suggested for individual pesticides and for the sum of all pesticides respectively, as specified in Directive 2006/118/EC, was established in the 1980s, based on the chemical-analytical sensitivity available at that time. The default value of 0,1 µg/L for individual pesticides is not proven to be sufficiently protective for human health and the groundwater ecosystem, and is sometimes significantly higher in comparison to threshold values for many pesticides and fungicides on the list of priority substances in Annex I to Directive 2008/105/EC. Taking into consideration also SCHEER's opinion that no groundwater threshold values should be higher than the EQS for surface water, the Commission should review the threshold values for individual pesticides and the sum of all pesticides, including their relevant metabolites, in Annex I to Directive 2006/118/EC by applying modern analytical methods and comparing them in relation to the best available toxicological knowledge. Pending this review, and in line with the precautionary approach expressed by drinking water providers in the European Groundwater Memorandum^{1c}, interim threshold values, based on best available scientific knowledge, should be established.

^{1a} SCHEER. Contribution to ENV consultation: Comments on the Commission's proposal for amending the WFD/GWD/EQSD, March 2023.
SCHEER. Groundwater quality standards for proposed additional pollutants in the

annexes to the Groundwater Directive (2006/118/EC), July 2022.

^{1b} EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.

^{1c} European Groundwater Memorandum: To secure the quality and quantity of drinking water for future generations, March 2022.

Amendment 28
Proposal for a directive
Recital 8 d (new)

Text proposed by the Commission

Amendment

(8d) Bisphenol-A should be treated as a priority hazardous substance and should be added to the list in Annex I to Directive 2008/105/EC. Scientific reports show that also bisphenols other than bisphenol-A have proven endocrine-disrupting potential and mixtures of those bisphenols represent an ecotoxicological risk. Given that those scientific findings raise concerns regarding the safe use of alternatives to bisphenols that might have a negative impact on human health and the environment, the Commission should establish a 'Bisphenols Total' parameter and an appropriate EQS for the total of bisphenol substances.

Amendment 29
Proposal for a directive
Recital 8 e (new)

Text proposed by the Commission

Amendment

(8e) According to the European Medicines Agency (EMA)^{1a}, groundwater ecosystems are fundamentally different and therefore can be more vulnerable to stressors than surface water ecosystems as

they lack the ability to recover from perturbations. Therefore, a precautionary approach should be applied when setting groundwater threshold values to protect human health, groundwater ecosystems and groundwater-dependent ecosystems. In line with advice from EMA, as a result of this vulnerability, the threshold values applicable to groundwater should normally be 10 times lower than the corresponding threshold values for surface waters. However, where the actual risk posed to the groundwater eco-systems can be established, it could be appropriate to set threshold values for groundwater at a different level.

^{1a} EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.

Amendment 30

Proposal for a directive Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Pursuant to applicable Union law, Member States are obliged to identify affected and at-risk waters, designate nitrate-vulnerable zones, develop action programmes and implement relevant measures. In this regard, there is still a need for an improvement in the harmonisation of control measures and water quality measurement systems between Member States, so as to allow for harmonised standards across the Union that make comparability between Member States possible, thus avoiding competition problems in the European agricultural sector, resulting in disturbances to the internal market.

Amendment 31
Proposal for a directive
Recital 10

Text proposed by the Commission

(10) Concern has been expressed about the risk of antimicrobial resistance developing from the presence of antimicrobial resistant microorganisms and antimicrobial resistance genes in the aquatic environment, but little monitoring has taken place. Relevant antimicrobial resistance genes should also be included in the surface and ground water watch lists and monitored as soon as suitable monitoring methods have been developed. This is in line with the 'European One Health Action Plan against Antimicrobial Resistance', adopted by the Commission in June 2017, and with the Pharmaceutical Strategy for Europe, which also addresses this concern.

Amendment

(10) ***It is estimated that in 2019, between 900 000 and 1,7 million deaths around the world were attributable to antimicrobial resistance (AMR) infections^{1a}. At the same time,*** concern has been expressed about the risk of antimicrobial resistance developing from the presence of antimicrobial resistant microorganisms and antimicrobial resistance genes in the aquatic environment, but little monitoring has taken place. Relevant antimicrobial resistance genes should also be included in the surface and ground water watch lists and monitored as soon as suitable monitoring methods have been developed. This is in line with the 'European One Health Action Plan against Antimicrobial Resistance', adopted by the Commission in June 2017, and with the Pharmaceutical Strategy for Europe, which also addresses this concern.

^{1a} ***“Global burden of bacterial antimicrobial resistance in 2019: a systematic analysis”, Lancet, 19 January 2022***
<https://www.sciencedirect.com/science/article/pii/S0140673621027240?via%3Dihub>

Amendment 32

Proposal for a directive
Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) Commission Implementing Decision (EU) 2020/1729 repealing

Implementing Decision 2013/652/EU1a sets the framework to obtain comparable and reliable data on antimicrobial resistance in the European Union, including by monitoring slaughterhouse wastewater as a potential vehicle of antibiotic-resistant bacteria and therefore a possible environmental contamination route. Antibiotic-resistant bacteria have been found in water discharged by slaughterhouses.

Amendment 33
Proposal for a directive
Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) Concern has been expressed about the risk of sulfates and xanthates in the aquatic environment. Sulfates not only impair drinking water quality, they also affect the material cycles of carbon, nitrogen and phosphorus. Among other things, this increases the nutrient loads in water bodies and thus the growth of plants and algae and also increases food supply for aquatic organisms and leads to a decrease of oxygen in water. Sulfates and their degradation products, especially sulfide, under certain conditions, can have a toxic effect on aquatic life. Standard test results indicate that some xanthates and their degradation products are toxic to aquatic invertebrates and fish species and that they may bioaccumulate. Sulfates are already listed as a pollutant for groundwater, but the monitoring that has taken place has been insufficient. Sulfates should therefore be included in the surface and ground water watch lists. Xanthates should be included in the surface water watch list.

Amendment 34

Proposal for a directive
Recital 10 c (new)

Text proposed by the Commission

Amendment

(10c) Substances such as microplastics pose a clear risk to public health and the environment, but also to basic activities such as the development of agriculture. The presence of such substances and other particles can have implications not only on the water received by livestock and crops, but also on soil fertility, thereby compromising the health and good development of present and future crops^{1a}.

1a

<https://www.sciencedirect.com/science/article/pii/S2352186422000724>

Amendment 35
Proposal for a directive
Recital 11

Text proposed by the Commission

Amendment

(11) Considering the growing awareness of the relevance of mixtures and therefore of effect-based monitoring for determining chemical status, and considering that sufficiently robust effect-based monitoring methods already exist for estrogenic substances, Member States should apply such methods to assess the cumulative effects of estrogenic substances in surface waters over a period of at least two years. This will allow the comparison of effect-based results with the results obtained using the conventional methods for monitoring the three estrogenic substances listed in Annex I to Directive 2008/105/EC. That comparison ***will be used to assess*** whether effect-based monitoring methods may be used as reliable screening methods. Using such screening methods would have the

(11) ***The current and conventional monitoring methods for the chemical status of water bodies cannot, in general, determine the impact of complex mixtures of chemicals on water quality.***
Considering the growing awareness of the relevance of mixtures and therefore of effect-based monitoring for determining chemical status, and considering that sufficiently robust effect-based monitoring methods already exist for estrogenic substances, Member States should apply such methods to assess the cumulative effects of estrogenic substances in surface waters over a period of at least two years. This will allow the comparison of effect-based results with the results obtained using the conventional methods for monitoring the three estrogenic substances listed in Annex I to Directive

advantage of allowing the effects of all estrogenic substances having similar effects to be covered, and not only those listed in Annex I to Directive 2008/105/EC. The definition of EQS in Directive 2000/60/EC should be modified to ensure that it may, in the future, also cover trigger values that might be set for assessing the results of effect-based monitoring.

2008/105/EC. That comparison ***should be included in an evaluation report published by the Commission in which it assesses*** whether effect-based monitoring methods ***deliver robust and accurate data and*** may be used as reliable screening methods. Using such screening methods would have the advantage of allowing the effects of all estrogenic substances having similar effects to be covered, and not only those listed in Annex I to Directive 2008/105/EC. The ***Commission should be empowered to adopt delegated acts to supplement Directive 2008/105/EC to set out modalities for the Member States to use the effect-based methods for monitoring to assess the presence also of other substances in water bodies, in anticipation of a possible setting of effect-based trigger values in the future.*** The definition of EQS in Directive 2000/60/EC should be modified to ensure that it may, in the future, also cover trigger values that might be set for assessing the results of effect-based monitoring.

Amendment 36
Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) More stringent threshold values should be established where groundwater quality standards could result in failure to achieve the environmental objectives of Directive 2000/60/EC for associated water bodies, as required under Directive 2006/118/EC. That requirement under Directive 2006/118/EC should be further extended to better protect vulnerable sites from pollution.

Amendment 37
Proposal for a directive
Recital 12

(12) The evaluation of Union water legislation⁵⁸ (the ‘evaluation’) concluded that the process for identifying and listing pollutants affecting surface and groundwater and setting or revising quality standards for them in the light of new scientific knowledge could be accelerated. ***If those tasks were to be carried out by the Commission, rather than in the framework of the ordinary legislative procedure as currently provided for in Articles 16 and 17 of Directive 2000/60/EC and Article 10 of Directive 2006/118/EC, the functioning of the surface and groundwater watch-list mechanisms, in particular in terms of timing and sequence of listing, monitoring and assessing results, could be improved, the links between the watch-list mechanism and the reviews of the lists of pollutants could be strengthened, and changes to the lists of pollutants could take account of scientific progress more swiftly. Therefore, and given the need to amend the lists of pollutants and their EQS promptly in the light of new scientific and technical knowledge, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend Annex I to Directive 2008/105/EC with regard to the list of priority substances and corresponding EQS set out in Part A of that Annex and to amend Annex I to Directive 2006/118/EC with regard to the list of groundwater pollutants and quality standards set out in that Annex.*** In this context, the ***Commisison*** should take account of the results of the monitoring of substances on the surface and groundwater watch lists. As a consequence, Articles 16 and 17 of Directive 2000/60/EC and Annex X to that Directive, as well as Article 10 of Directive 2006/118/EC, should be deleted.

(12) The evaluation of Union water legislation⁵⁸(the ‘evaluation’) concluded that the process for identifying and listing pollutants affecting surface and groundwater and setting or revising quality standards for them in the light of new scientific knowledge could be accelerated. ***Therefore***, in the framework of ***any future review of Annex I to Directive 2008/105/EC with regard to the list of priority substances and corresponding EQS set out in Part A of that Annex and of Annex I to Directive 2006/118/EC***, the functioning of the surface and groundwater watch-list mechanisms, in particular in terms of timing and sequence of listing, monitoring and assessing results, ***should*** be improved, the links between the watch-list mechanism and the reviews of the lists of pollutants ***should*** be strengthened, and ***the review period for*** the lists of pollutants ***should be adjusted in order to*** take account of scientific progress more swiftly. In this context, the ***Commission*** should take account of the results of the monitoring of substances on the surface and groundwater watch lists. As a consequence, Articles 16 and 17 of Directive 2000/60/EC and Annex X to that Directive, as well as Article 10 of Directive 2006/118/EC, should be deleted, ***while maintaining the obligation to take measures aimed at the cessation or phasing out of discharges, emissions and losses of priority hazardous substances.***

⁵⁸ Commission Staff Working Document

⁵⁸ Commission Staff Working Document

Fitness check of the Water Framework Directive, Groundwater Directive, Environmental Quality Standards Directive and Floods Directive, SWD(2019) 439 final.

Fitness check of the Water Framework Directive, Groundwater Directive, Environmental Quality Standards Directive and Floods Directive, SWD(2019) 439 final.

Amendment 38

Proposal for a directive Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Overall, the conclusions of the Fitness check indicate that the Directives are broadly fit for purpose, with scope for improvement, including accelerating the proper implementation of their objectives, which might be achieved through more Union funding. The assessment indicates that the Directives have so far generally led to a higher level of protection of water bodies and flood risk management.

Amendment 39

Proposal for a directive Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Any decision on the selection, review of substances and the setting of EQS should be based on a risk assessment and follow a proportionate, transparent and science-based approach and take into consideration recommendations from the European Parliament, Member States and relevant stakeholders.

Amendment 40

Proposal for a directive Recital 13 b (new)

(13b) While Directive 2000/60/EC set the rules necessary to make progress in relation to water quantity and quality, the Fitness check showed that the slow progress made as regards achieving the objectives of this Directive can amongst other things be attributed to a lack of sufficient financial resources as well as regulatory and ecological complexity, including possible time lags for groundwater to respond to measures and with regard to reporting timelines. Measures that improve the status of water bodies through restoration of rivers and ecosystem services provide financial benefits that outweigh the costs and could reduce unnecessary expenditure for Member States. Furthermore, the evaluation points to a lack of implementation, an insufficient scope, and insufficient or inadequate restoration measures ensuring hydrological and ecological connectivity^{1a}.

^{1a} https://www.igb-berlin.de/sites/default/files/media-files/download-files/IGB_Policy_Brief_WFD_2019.pdf

Amendment 41
Proposal for a directive
Recital 15

Text proposed by the Commission

(15) In order to ensure a harmonised approach and level playing field in the Union, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend Part B of Annex II to Directive 2006/118/EC by adapting the list of pollutants for which Member States have to **consider establishing** national threshold

Amendment

(15) In order to ensure a harmonised approach and level playing field in the Union, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend Part B of Annex II to Directive 2006/118/EC by adapting the list of pollutants for which Member States have

values.

to *establish* national threshold values.

Amendment 42
Proposal for a directive
Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) In order to provide for adequate protection standards for areas of high ecological value, vulnerability or pollution, such as caves and karst areas, that contain ecosystems that are among the most vulnerable to contamination and represent an important drinking water supply, as well as for former industrial sites and other areas with known historical contamination, the Commission should publish an assessment of the chemical status of such areas and, where appropriate, present a legislative proposal to revise Directive 2006/118/EC accordingly.

Amendment 43
Proposal for a directive
Recital 21

Text proposed by the Commission

Amendment

(21) To ensure effective and coherent decision-making and develop synergies with the work carried out in the framework of other Union legislation on chemicals, the European Chemicals Agency ('ECHA'), should be given a permanent and clearly circumscribed role in the prioritisation of substances to be included in the watch lists and in the lists of substances in Annexes I and II to Directive 2008/105/EC and Annexes I and II to Directive 2006/118/EC, and in the derivation of appropriate science-based quality standards. The Committee for Risk Assessment (RAC) and the Committee for Socio-Economic Analysis (SEAC) of ECHA, should facilitate the carrying out of

(21) To ensure effective and coherent decision-making and develop synergies with the work carried out in the framework of other Union legislation on chemicals, the European Chemicals Agency ('ECHA'), should be given a permanent and clearly circumscribed role in the prioritisation of substances to be included in the watch lists and in the lists of substances in Annexes I and II to Directive 2008/105/EC and Annexes I and II to Directive 2006/118/EC, and in the derivation of appropriate science-based quality standards. The Committee for Risk Assessment (RAC) and the Committee for Socio-Economic Analysis (SEAC) of ECHA, should facilitate the carrying out of

certain tasks conferred on ECHA by providing opinions. ECHA should also ensure better coordination between various pieces of environmental law through increased transparency as regards pollutants on a watch list or the development of Union wide or national EQS or thresholds, by making relevant scientific reports publicly available.

certain tasks conferred on ECHA by providing opinions. ECHA should also ensure better coordination between various pieces of environmental law through increased transparency as regards pollutants on a watch list or the development of Union wide or national EQS or thresholds, by making relevant scientific reports publicly available. ***In relation to assessing threshold values for pharmaceutical substances, ECHA should cooperate with the European Medicines Agency ('EMA').***

Amendment 44
Proposal for a directive
Recital 23

Text proposed by the Commission

Amendment

(23) Better integration of data flows reported to the EEA under the Union water legislation and, in particular, of the inventories of emissions required by Directive 2008/105/EC, with the data flows reported to the Industrial Emissions Portal under Directive 2010/75/EU and Regulation (EC) No 166/2006 of the European Parliament and of the Council⁶¹, will make the inventory reporting in accordance with Article 5 of Directive 2008/105/EC simpler and more efficient. At the same time, it will reduce administrative burden and peak work load in the preparations of the river basin management plans. In combination with the abolition of interim reporting on the progress of programmes of measures, which did not prove effective, this simplified reporting will allow Member States to put more effort into reporting emissions that are not covered by the legislation on industrial emissions but which are covered by the emissions reporting under Article 5 of Directive 2008/105/EC.

deleted

61 Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 33, 4.2.2006, p. 1).

**Amendment 45
Proposal for a directive
Recital 31**

Text proposed by the Commission

(31) It is necessary to take into account scientific and technical progress in the area of monitoring of the status of water bodies in accordance with the monitoring requirements set out in Annex V to Directive 2000/60/EC. Therefore, Member States should be allowed to use of data and services from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, leveraging the opportunities offered by artificial intelligence, advanced data analysis and processing.

**Amendment 46
Proposal for a directive
Recital 31 a (new)**

Text proposed by the Commission

Amendment

(31) It is necessary to take into account scientific and technical progress ***and the best available methods*** in the area of monitoring of the status of water bodies in accordance with the monitoring requirements set out in Annex V to Directive 2000/60/EC. Therefore, Member States should be allowed to use of data and services from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, leveraging the opportunities offered by artificial intelligence, advanced data analysis and processing.

(31a) Industrial activities related to the energy transition could increase adverse impacts on the water quality. Mitigating such future impacts, such as changes to natural flow patterns and temperature, and water pollution, requires assessing the full range of potential factors as well as measures to be taken to achieve and maintain good water quality. Therefore, Member States should regularly evaluate the impact on water quality of industrial activities related to the energy transition

and inform the Commission of newly identified threats with the aim of updating the watch list accordingly. The evaluation should be easily accessible to the public and the update should be allowed to occur outside of the general updating cycles, to ensure a continuous improvement of water quality assessment.

Amendment 47
Proposal for a directive
Recital 31 b (new)

Text proposed by the Commission

Amendment

(31b) The Commission, in its communication of 11 December 2019 on the European Green Deal and its communication of 14 October 2020 on improving access to justice in environmental matters, committed to taking action to improve access to justice before national courts in all Member States for citizens and environmental non-governmental organisations that have specific concerns about the compatibility of administrative acts that have effects on the environment with environmental law. In the latter communication, the Commission affirms that ‘access to justice in environmental matters, both via the Court of Justice of the EU (CJEU) and the national courts as Union courts, is an important support measure to help deliver the European Green Deal transition and a way to strengthen the role which civil society can play as watchdog in the democratic space’. Those commitments should be implemented also under Directive 2000/60 EC.

Amendment 48
Proposal for a directive
Recital 31 c (new)

(31c) As confirmed by the case law of the CJEU^{1a}, environmental non-governmental organisations and directly concerned individuals should be provided legal standing in order to challenge a decision taken by a public authority, which is in breach of the environmental objectives referred to in Article 4 of Directive 2000/60 EC. With the purpose of enhancing access to justice in the matters concerned before national courts across the Union and for environmental non-governmental organisations and directly concerned individuals to be able to rely on national laws when challenging decisions that are in breach of Directive 2000/60 EC, provisions to ensure access to justice should be established in Directive 2000/60 EC.

^{1a} Case C-535/18, Judgment of the Court (First Chamber) of 28 May 2020; *IL and Others v Land Nordrhein Westfalen*. Case C-664/15, Judgment of the Court (Second Chamber) of 20 December 2017; *Protect Natur-, Arten- und Landschaftsschutz Umweltorganisation v Bezirkshauptmannschaft Gmünd*.

Amendment 49
Proposal for a directive
Recital 32

(32) Considering the increases in unforeseeable weather events, in particular extreme floods and prolonged droughts, and in significant pollution **incidents resulting** in or exacerbating transboundary **accidental** pollution, Member States should be required to ensure that immediate information on such incidents is provided to other potentially

(32) Considering the increases in unforeseeable weather events, in particular extreme floods and prolonged droughts, and in significant pollution **incidents resulting** in or exacerbating transboundary pollution, Member States should be required to ensure that immediate information on such incidents is provided to other potentially affected Member States

affected Member States and effectively cooperate with potentially affected Member States to mitigate the effects of the event or incident. It is also necessary to reinforce cooperation between Member States and streamline procedures for transboundary cooperation in case of more structural, i.e. non accidental and longer term transboundary issues which cannot be solved at Member State level, in accordance with Article 12 of Directive 2000/60/EC. In case European assistance is necessary, competent national authorities may send requests for assistance to the Emergency Response Coordination Centre of the Commission, which will coordinate possible offers of assistance and their deployment through the Union Civil Protection Mechanism, in accordance with Article 15 of Decision **1313/2013** of the European Parliament and of the Council⁶⁴.

and effectively cooperate with potentially affected Member States to mitigate the effects of the event or incident. It is also necessary to reinforce cooperation between Member States and streamline procedures for transboundary cooperation in case of more structural, i.e. non accidental and longer term transboundary issues which cannot be solved at Member State level, in accordance with Article 12 of Directive 2000/60/EC. In case European assistance is necessary, competent national authorities may send requests for assistance to the Emergency Response Coordination Centre of the Commission, which will coordinate possible offers of assistance and their deployment through the Union Civil Protection Mechanism, in accordance with Article 15 of Decision **1313/2013/EU** of the European Parliament and of the Council⁶⁴. ***Considering that river basin districts can also extend beyond the territory of the Union, ensuring that there is effective implementation of relevant provisions for water protection under Directive 2000/60/EC as well as appropriate coordination with the relevant non-Member States would also contribute to the objectives as set out in Directive 2000/60/EC for those specific river basin districts, as referred to in Article 3(5) of Directive 2000/60/EC. In addition, armed conflicts taking place in close geographical proximity to the Union should also be considered as exceptional events due to their extensive negative transboundary environmental impact, including air, soil and water pollution. As the river basins affected by such conflicts could extend within the Union's boundaries, the Commission and Member States should increase their endeavours to establish appropriate coordination with relevant non-Member States as referred to in Article 3(5) of Directive 2000/60/EC.***

⁶⁴ Decision No 1313/2013/EU of the European Parliament and of the Council of

⁶⁴ Decision No 1313/2013/EU of the European Parliament and of the Council of

17 December 2013 on a Union Civil
Protection Mechanism (OJ L 347,
20.12.2013, p. 924).

17 December 2013 on a Union Civil
Protection Mechanism (OJ L 347,
20.12.2013, p. 924).

Amendment 50
Proposal for a directive
Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) The European Court of Auditors in its report of 19 May 2021 entitled ‘The Polluter Pays Principle: Inconsistent application across EU environmental policies and actions’ notes that Member States already spend around EUR 100 billion per year on water supply and sanitation and that increases of that expenditure are expected to amount to over 25 % to meet the objectives of Union legislation on wastewater treatment and drinking water, while not including investments needed to renew existing infrastructure or meet the objectives of the Water Framework Directive and the Floods Directive. Furthermore, in the Union, users pay on average for around 70 % of the cost of providing water services, through water tariffs, while the public purse finances the remaining 30 %, although there are considerable differences between regions and Member States. Households in the Union usually pay for most of the cost of water supply and sanitation services, even though they consume only 10 % of water, whereas the economic sectors that exert the most pressure on renewable freshwater resources contribute the least to meeting such costs.

Amendment 51
Proposal for a directive
Recital 32 b (new)

Text proposed by the Commission

Amendment

(32b) The costs of monitoring programmes for determining the status of surface water and ground water are financed solely through Member States' budgets. Given that the number of chemicals detected in the aquatic environment is constantly changing, that there is a growing number of emerging pollutants which have just recently appeared in the aquatic environment, that constant improvement of chemical analytical methods is required in order to detect these emerging and new pollutants and correctly assess their ecological impact, and that also new monitoring methods need to be developed in order to better assess effects of chemical mixtures, those monitoring costs are expected to increase even further. In order to cover those costs, and in accordance with the polluter pays principle enshrined in Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), it is essential that producers placing on the Union market products that contain substances which have a proven or potential negative impact on human health and the aquatic environment take financial responsibility for the measures required to control substances generated in the context of their commercial activities and found in surface water and groundwater. A system of extended producer responsibility is likely the most appropriate means of achieving this, as it would limit the financial burden on the taxpayer, while providing an incentive to develop greener products. The Commission should, therefore, prepare an impact assessment examining the inclusion in Directive 2006/118/EC and Directive 2008/105/EC of an extended producer responsibility mechanism, applicable to priority substances defined under Directive 2006/118/EC and under Directive 2008/105/EC, as well as to emerging and new pollutants, as defined in the watch lists under Directive 2006/118/EC and

Directive 2008/105/EC. The impact assessment should be accompanied, where appropriate, by a legislative proposal to revise the Directives 2006/118/EC and 2008/105/EC.

Amendment 52
Proposal for a directive
Recital 32 c (new)

Text proposed by the Commission

Amendment

(32c) Monitoring of an increased number of substances or group of substances involves increased costs but also the need for strengthened administrative capacity in the Member States, especially those with scarcer resources. In light of the above, the Commission should set up a joint European monitoring facility for managing the monitoring requirements when so requested by the Member States, thus easing their financial and administrative burdens. The Commission should define the methods of operation of the monitoring facility. The use of such facility should be voluntary and without prejudice to arrangements already set in place by the Member States.

Amendment 53
Proposal for a directive
Recital 32 d (new)

Text proposed by the Commission

Amendment

(32d) Evidence shows that there is an investment need in the water sector and Union funding is vital for some Member States to comply with legal obligations laid down in Directive 2000/60/EC, Directive 2008/105/EC and Directive 2006/118/EC. All Member States need to increase their expenditure by at least 20% to reach Union water standards and there is an aggregated financing gap of EUR

289 billion up to 2030^{1a}. It is therefore necessary to ensure that sufficient financial and human resources are provided for the purpose of carrying out monitoring and inspections of water bodies in all Member States, including via relevant Union structural funds and programmes, as well as via contributions from the private sector, including under the extended producer responsibility mechanism, once put in place.

*^{1a} OECD, 6th Roundtable on Financing Water. Available at:
<https://www.oecd.org/water/6th-Roundtable-on-Financing-Water-in-Europe-Summary-and-Highlights.pdf>*

Amendment 54
Proposal for a directive
Recital 34 a (new)

Text proposed by the Commission

Amendment

(34a) Member States should encourage synergies between the requirements of the relevant directives concerning both data collection and deployment of digital tools such as remote sensing technologies or earth observation (Copernicus services).

Amendment 55
Proposal for a directive
Recital 34 b (new)

Text proposed by the Commission

Amendment

(34b) The competent authorities should support training, skills development programmes and investment in human capital to support the effective implementation of the best technologies and innovative solutions within the framework of the directives. Information should be accessible in the different national languages in order to strengthen

accessibility to the relevant data across Europe for the relevant local actors and citizens.

Amendment 56

Proposal for a directive

Article 1 – paragraph 1 – point 1 – introductory part

Directive 2000/60/EC

Article 1 – point e – indent 4

Text proposed by the Commission

(1) in Article 1, the fourth indent is replaced by the following:

Amendment

(1) in Article 1, **point (e)**, the fourth indent is replaced by the following:

Amendment 57

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point c

Directive 2000/60/EC

Article 2 – paragraph 1 – point 30a

Text proposed by the Commission

(30a) ‘Priority hazardous substances’ means priority substances which are marked as ‘hazardous’ on the basis that they are recognised in scientific reports, in relevant Union legislation, or in relevant international agreements, as being toxic, persistent and liable to bio-accumulate or as giving rise to an equivalent level of concern, where this concern is relevant to the aquatic environment.

Amendment

(30a) ‘Priority hazardous substances’ means priority substances which are marked as ‘hazardous’ on the basis that they are recognised in scientific reports, in relevant Union legislation, or in relevant international agreements, as being toxic, persistent and liable to bio-accumulate **(PBT), or very persistent and very accumulative (vPvB), or persistent, mobile and toxic (PMT) or very persistent and very mobile (vPvM)** or as giving rise to an equivalent level of concern, where this concern is relevant to the aquatic environment, **and for which measures need to be taken in accordance with Article 4, (1), point (a), point (iv).**

Amendment 58

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point d

Directive 2000/60/EC

Article 2 – paragraph 1 – point 35

Text proposed by the Commission

(35) ‘Environmental quality standard’ means the concentration of a particular pollutant or group of pollutants in water, sediment or biota not to be exceeded in order to protect human health and the environment or a trigger value for the adverse effect on human health or the environment of such a pollutant or group of pollutants measured using an appropriate effect-based method.’;

Amendment

(35) ‘Environmental quality standard’ means the concentration of a particular pollutant or group of pollutants in water, sediment or biota not to be exceeded in order to protect human health and the environment or a trigger value for the adverse effect on human health or the environment of such a pollutant or group of pollutants measured using an appropriate ***and scientifically established*** effect-based method.’;

Amendment 59

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point d a (new)

Directive 2000/60/EC

Article 2 – paragraph 1 – point 37

Present text

37. ‘Water intended for human consumption’ has the same meaning as under Directive 80/778/EEC, as amended by Directive **98/83/EC**.

Amendment

(da) point (37) is replaced by the following:

"37. ‘Water intended for human consumption’ has the same meaning as under Directive **(EU) 2020/2184**."

(02000L0060)

Amendment 60

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point d b (new)

Directive 2000/60/EC

Article 2 – paragraph 1 – point 40 – subparagraph 1

Present text

40. ‘Emission limit values’ means the mass, expressed in terms of certain specific

Amendment

(db) in Article 2 point (40), the first subparagraph is replaced by the following:

"40. ‘Emission limit values’ means the mass, expressed in terms of certain specific

parameters, concentration and/or level of an emission, which may not be exceeded during any one or more periods of time. Emission limit values may also be laid down for certain groups, families or categories of substances, in particular for those identified *under Article 16*.

parameters, concentration and/or level of an emission, which may not be exceeded during any one or more periods of time. Emission limit values may also be laid down for certain groups, families or categories of substances, in particular for those identified *in Annex I to Directive 2008/105/EC*.

(02000L0060)

Amendment 61

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2000/60/EC

Article 3 – paragraph 4a

Text proposed by the Commission

4a. In the case of exceptional circumstances of natural origin or force majeure, in particular extreme floods and prolonged droughts, or significant pollution incidents, which could affect downstream water bodies situated in other Member States, Member States shall ensure that the competent authorities for downstream water bodies in such Member States, as well as the Commission, are immediately informed and that the necessary cooperation is set up to investigate the causes and address the consequences of the exceptional circumstances or incidents.;

Amendment

4a. In the case of exceptional circumstances of natural origin or force majeure, in particular extreme floods and prolonged droughts, or significant pollution incidents, which could affect downstream water bodies situated in other Member States, Member States shall ensure that the competent authorities for downstream water bodies in such Member States, as well as the Commission, are immediately informed and that the necessary cooperation is set up to investigate the causes and address the consequences of the exceptional circumstances or incidents.;

Member States shall notify other Member States that could be adversely affected by the relevant pollution incident.

To further improve cooperation and information exchange in the international river basin districts, for all international river basin districts arrangements for emergency communication and response shall be put in place.

Amendment 62

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point a
Directive 2000/60/EC
Article 4 – paragraph 1 – point a – point iv

Text proposed by the Commission

(iv) Member States shall implement the necessary measures to progressively reduce pollution from priority substances and river basin specific pollutants, and to cease or phase out emissions, discharges and losses of priority hazardous substances.;

Amendment

(iv) Member States shall implement the necessary measures to progressively reduce pollution, ***discharges, emissions and losses*** from priority substances and river basin specific pollutants, and to cease or phase out emissions, discharges and losses of priority hazardous substances ***within an appropriate timeline and, in any case, not later than 20 years after a given priority substance is listed as hazardous in Part A of Annex I to Directive 2008/105/EC. That timeline shall apply without prejudice to the application of stricter timelines in any other applicable Union legislation;***

Amendment 63

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point ba

Directive 2000/60/EC

Article 4 – paragraph 1 – point c – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(ba) in point (c), the following subparagraph 1a is added:

Member States shall set stricter standards or threshold values if necessary to adequately protect the areas listed in Annex IV to this Directive, including special areas of conservation under Council Directive 92/43/EEC.

Programmes and measures required in relation to such threshold values shall also apply to activities falling within the scope of Directive 91/676/EEC.

Amendment 64

Proposal for a directive

Article 1 – paragraph 1 – point 6 – point a
Directive 2000/60/EC
Article 8 – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt **implementing** acts to set out technical specifications and standardised methods for analysis and monitoring of water status in accordance with Annex V **and** for establishing formats for reporting monitoring and status data in accordance with paragraph 4. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).;

Amendment

3. The Commission is empowered to adopt **delegated** acts in accordance with Article 20a supplementing this Directive by setting out technical specifications and standardised methods for analysis and monitoring of water status set out in Annex V. **The Commission is empowered to adopt implementing acts** for establishing formats for reporting monitoring and status data in accordance with paragraph 4. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).;

Justification

The adoption of technical specifications and standardised methods fulfils the criteria for delegated acts.

Amendment 65
Proposal for a directive
Article 1 – paragraph 1 – point 6 – point a a (new)
Directive 2000/60/EC
Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(aa) The following paragraph is added:

"3a. By [two years after the entry into force of this Directive], the Commission shall publish a comprehensive assessment on the possible application of continuous, precise, and real-time (online) pollution monitoring systems of water quality measurements, including economic and technical feasibility aspects of such systems relevant to the Member States, as well the use of harmonised standards.
The Commission shall, if appropriate,

adopt an implementing act, in accordance with the examination procedure referred to in Article 21(2), to set out harmonised standards for online water monitoring.”

Amendment 66

Proposal for a directive

Article 1 – paragraph 1 – point 6 – point b

Directive 2000/60/EC

Article 8 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that the available individual monitoring data collected in accordance with point 1.3.4 of Annex V and the resulting status in accordance with Annex V are made available to the **public and to the** European Environment Agency (EEA) at least once a year electronically in a machine-readable format in accordance with Directive 2003/4/EC of the European Parliament and of the Council*, Directive 2007/2/EC of the European Parliament and of the Council** and Directive (EU) 2019/1024 of the European Parliament and of the Council***. For those purposes, Member States shall use the formats established in accordance with paragraph 3 of this Article.

Amendment 67

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 2000/60/EC

Article 11 – paragraph 1

Present text

1. Each Member State shall ensure the establishment for each river basin

Amendment

4. Member States shall ensure that the available individual monitoring data collected in accordance with point 1.3.4 **and 2.4.3** of Annex V and the resulting status in accordance with Annex V are made available to the European Environment Agency (EEA) **and, without undue delay and in an easily accessible manner, to the public** at least once a year electronically in a machine-readable format in accordance with Directive 2003/4/EC of the European Parliament and of the Council*, Directive 2007/2/EC of the European Parliament and of the Council** and Directive (EU) 2019/1024 of the European Parliament and of the Council***. For those purposes, Member States shall use the formats established in accordance with paragraph 3 of this Article.

Amendment

(7 a) Article 11 (1) is replaced by the following:

"1. Each Member State shall ensure the establishment for each river basin district,

district, or for the part of an international river basin district within its territory, of a programme of measures, taking account of the results of the analyses required under Article 5, in order to achieve the objectives established under Article 4. Such programmes of measures may make reference to measures following from legislation adopted at national level and covering the whole of the territory of a Member State. Where appropriate, a Member State may adopt measures applicable to all river basin districts and/or the portions of international river basin districts falling within its territory.

or for the part of an international river basin district within its territory, of a programme of measures, taking account of the results of the analyses required under Article 5, in order to achieve the objectives established under Article 4. Such programmes of measures ***shall prioritise source-control measures in accordance with relevant Union sectoral legislation on pollution. End-of-pipe measures shall be applied in addition to source control measures where there is a risk of source-control measures failing to achieve good status of the water bodies. Programmes of measures*** may make reference to measures following from legislation adopted at national level and covering the whole of the territory of a Member State. Where appropriate, a Member State may adopt measures applicable to all river basin districts and/or the portions of international river basin districts falling within its territory. ***The Commission shall develop guidance on best practices for source-control measures and the complementarity of end-of-pipe measures.***"

(02000L0060)

Amendment 68

Proposal for a directive

Article 1 – paragraph 1 – point 7 b (new)

Directive 2000/60/EC

Article 11 – paragraph 3 – point c

Present text

(c) measures to promote an efficient and sustainable water use in order to avoid compromising the achievement of the objectives specified in Article 4;

Amendment

(7 b) Article 11(3), point (c) is replaced by the following:

"(c) measures to promote an efficient and sustainable water use, ***including in agriculture***, in order to avoid compromising the achievement of the objectives specified in Article 4;"

(02000L0060)

Amendment 69

Proposal for a directive

Article 1 – paragraph 1 – point 8 a (new)

Directive 2000/60/EC

Article 11 – paragraph 5 – indent 2

Present text

— relevant permits and authorisations are examined and reviewed as appropriate,

Amendment

(8 a) Article 11 (5), indent 2 is replaced by the following:

"— relevant permits and authorisations are examined and reviewed **and, in duly justified cases, suspended,** as appropriate,"

(02000L0060)

Amendment 70

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2000/60/EC

Article 12 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall respond to any notification from a Member State within a period of six months. Where the issue concerns failure to meet good chemical status, the Commission shall act in accordance with Article 7a of Directive 2008/105/EC.

Amendment 71

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2000/60/EC

Article 12 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall respond to each other in a timely manner, and no later than **3**

Member States shall respond to each other in a timely manner, and no later than **2**

months after notification by another Member State in accordance with paragraph 1.

months after notification by another Member State in accordance with paragraph 1.

Amendment 72

Proposal for a directive

Article 1 – paragraph 1 – point 9 a (new)

Directive 2000/60/EC

Article 13 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(9a) in Article 13, the following paragraph is inserted:

"4a. The Commission shall reject the river basin management plans presented by Member States when these plans do not include the elements listed in Annex VII."

Amendment 73

Proposal for a directive

Article 1 – paragraph 1 – point 9 a (new)

Directive 2000/60/EC

Article 14 a (new)

Text proposed by the Commission

Amendment

(9a) The following Article is inserted :

"Article 14a

Access to justice

1. Member States shall ensure that members of the public, in accordance with national law, that have a sufficient interest or that allege the impairment of a right, have access to a review procedure before a court of law, or another independent and impartial body established by law, to challenge the substantive or procedural legality of all decisions, acts or omissions under this Directive concerning, inter alia:

(a) plans and projects which may be contrary to the requirements of Article 4, including to prevent the deterioration of

the status of bodies of water and to achieve good water status, good ecological potential and/or good water chemical status, to the extent that those requirements are not already provided for under Article 11 of Directive 2011/92/EU;

(b) programmes of measures referred to in Article 11, Member State river basin management plans referred to in Article 13(1) and supplementary Member State programmes or management plans referred to in Article 13(5).

2. Member States shall determine what constitutes a sufficient interest and the impairment of a right, in a manner that is consistent with the objective of providing the public with wide access to justice. For the purposes of paragraph 1, any non-governmental organisation that promotes environmental protection and meets the relevant requirements under national law shall be deemed to have rights capable of being impaired and their interest shall be deemed sufficient.

3. The review procedures referred to in paragraph 1 shall be fair, equitable, and completed in a timely manner, and shall not be prohibitively expensive. Those procedures shall also involve the provision of adequate and effective redress, including injunctive relief where appropriate.

4. Member States shall ensure that practical information is made available to the public on access to the administrative and judicial review procedures referred to in this Article."

Amendment 74
Proposal for a directive
Article 1 – paragraph 1 – point 10
Directive 2000/60/EC
Article 15 – paragraph 3

Text proposed by the Commission

Amendment

(10) in Article 15, paragraph 3 is deleted;

deleted

Amendment 75

Proposal for a directive

Article 1 – paragraph 1 – point 10a (new)

Directive 2000/60/EC

Article 15 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

(10a) in Article 15 (3) the following subparagraph is added:

The Commission shall adopt guidelines and templates concerning the content, structure and format of the interim reports referred to in the first subparagraph, no later than [six months after the entry into force of this Directive].

Amendment 76

Proposal for a directive

Article 1 – paragraph 1 – point 12 – point b

Directive 2000/60/EC

Article 18 – paragraph 4

Text proposed by the Commission

Amendment

(b) paragraph 4 is deleted;

deleted

Amendment 77

Proposal for a directive

Article 1 – paragraph 1 – point 18 a (new)

Directive 2000/60/EC

Annex VII – Part A – point 7.7. a (new)

Text proposed by the Commission

Amendment

(18a) In Annex VII, Part A, the following point is inserted:

“7.7a. a summary of the measures taken to digitise the monitoring aspects of the water sector; ”

Amendment 78
Proposal for a directive
Article 1 – paragraph 1 – point 20
Directive 2000/60/EC
Annex X

Text proposed by the Commission

(20) *Annex X is* deleted.

Amendment

(20) *Annexes IX and X are* deleted.

Amendment 79
Proposal for a directive
Article 2 – paragraph 1 – point 2
Directive 2006/118/EC
Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

1. This Directive establishes specific measures to prevent and control groundwater pollution with the aim of achieving the environmental objectives set out in Article 4(1), point (b), of Directive 2000/60/EC. Those measures include the following:

Amendment

1. This Directive establishes specific measures to prevent and control groundwater pollution with the aim of achieving the environmental objectives set out in Article 4(1), point (b), of Directive 2000/60/EC. ***The hierarchy of measures to be taken shall prioritise restrictions and other control-at-source measures, without prejudice to the importance of end-of-pipe measures, where appropriate.*** Those measures include the following:

Amendment 80

Proposal for a directive
Article 2 – paragraph 1 – point 2
Directive 2006/118/EC
Article 1 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) criteria for assessing the good ecological status of groundwater.

Justification

Criteria for assessment are needed to protect aquatic ecosystems and their biodiversity.

Amendment 81

Proposal for a directive

Article 2 – paragraph 1 – point 4 – point a a (new)

Directive 2006/118/EC

Article 3 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(aa) in paragraph 1, the following subparagraph is inserted:

The threshold values applicable to groundwater shall be 10-times lower than the corresponding EQS for surface water, except in cases, where the actual risk posed to the groundwater ecosystems can be established, it may be appropriate to set threshold values for groundwater at a different level.

Amendment 82

Proposal for a directive

Article 2 – paragraph 1 – point 4 – point c

Directive 2006/118/EC

Article 3 – paragraph 5 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that the residents of the concerned river basin district or of the part of the international river basin district falling within the territory of a Member State are adequately and timely informed.

Amendment 83

Proposal for a directive

Article 2 – paragraph 1 – point 4 – point d

Directive 2006/118/EC

Article 3 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall amend the list of threshold values applied in their territories whenever new information on pollutants,

Member States shall amend the list of threshold values applied in their territories whenever new information on

groups of pollutants, or indicators of pollution indicates that a threshold value needs to be set for an additional substance, that an existing threshold value needs to be modified, or that a threshold value previously removed from the list needs to be re-inserted. If relevant threshold values are established or amended at Union level, Member States shall adapt the list of threshold values applied in their territories to those values. ;

pollutants, groups of pollutants, or indicators of pollution, **also taking into account the precautionary principle**, indicates that a threshold value needs to be set for an additional substance, that an existing threshold value needs to be modified, or that a threshold value previously removed from the list needs to be re-inserted. If relevant threshold values are established or amended at Union level, Member States shall adapt the list of threshold values applied in their territories to those values.

Amendment 84
Proposal for a directive
Article 2 – paragraph 1 – point 4 a (new)
Directive 2006/118/EC
Article 3 – paragraph 7

Present text

7. The Commission shall publish a report **by 22 December 2009** on the **basis of the information provided by** Member States in accordance with paragraph 5.

Amendment

(4a) Paragraph 7 is replaced by the following:

"7. The Commission shall publish a report on the **national threshold values referred to in paragraph 1, point (b), one year after the Member States provide that information to ECHA** in accordance with paragraph 5."

(02006L0118)

Amendment 85
Proposal for a directive
Article 2 – paragraph 1 – point 6
Directive 2006/118/EC
Article 6a – paragraph 1 – subparagraph 2

Text proposed by the Commission

The watch list shall contain a **maximum** of five substances or groups of substances **and** shall **indicate** the monitoring matrices and the possible methods of analysis for

Amendment

The watch list shall contain a **minimum** of five substances or groups of substances **of emerging concern selected from amongst those substances for which the**

each substance. Those monitoring matrices and methods shall not entail excessive costs for the competent authorities. ***The substances to be included in the watch list shall be selected from amongst those substances for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient. This watch list shall include substances of emerging concern.***

information available, also in accordance with sub-paragraph four below, indicates that they may pose a significant risk at Union level to, or via, the aquatic environment, and for which the monitoring data are insufficient, except where the number of substances or groups of substances for which the information available indicates that they may pose a significant risk to, or via, the aquatic environment to be selected from is less than five, in which case the watch list shall contain all of those substances.

In addition to the minimum number of substances or group of substances, the watch list may also contain indicators of pollution.

The watch list shall specify the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs for the competent authorities.

Amendment 86

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6a – paragraph 1 – subparagraph 3

Text proposed by the Commission

As soon as suitable monitoring methods for micro-plastics and selected antimicrobial resistance genes ***have been*** identified, ***those substances*** shall be included in the watch list.

Amendment

Suitable monitoring methods for micro-plastics and selected antimicrobial resistance genes ***shall be identified as soon as possible and no later than [the first day of the month following 18 months after the date of entry into force of this amending Directive]. As soon as those monitoring methods are*** identified, ***micro-plastics and selected antimicrobial resistance genes*** shall be included in the watch list ***in accordance with Article 6a(2)(1). The Commission shall also consider whether including sulfates in the first watch list is necessary to improve availability of data on their presence with***

regard to the scope of this directive.

Amendment 87

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6a – paragraph 1 – subparagraph 4 – introductory part

Text proposed by the Commission

ECHA shall prepare scientific reports to assist the Commission in selecting the substances for the watch list, taking into account the following information:

Amendment

ECHA shall prepare scientific reports to assist the Commission in selecting the substances ***and indicators of pollution*** for the watch list, taking into account the following information:

Amendment 88

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6a – paragraph 1 – subparagraph 4 – point f

Text proposed by the Commission

(f) research projects and scientific publications, including information on trends and ***predictions*** based on modelling or other predictive assessments ***and data*** ***and*** information ***from*** remote sensing technologies, earth observation (Copernicus services), ***in-situ*** sensors and devices, or citizen science data, ***leveraging*** the opportunities ***offered*** by artificial intelligence, advanced data analysis and processing;

Amendment

(f) research projects and scientific publications ***and evidence***, including information on ***the impact of material and thermal contaminants as well as impacts of aboveground and underground extractive and infrastructure activities on groundwater ecosystems and groundwater-dependent ecosystems and their biodiversity***, ***information on*** trends and ***forecasts*** based on modelling or other predictive assessments, ***as well as*** information ***and data collected by*** remote sensing technologies, Earth observation (Copernicus services), ***in situ*** sensors and devices, or citizen science data, ***taking advantage of*** the opportunities ***opened*** by artificial intelligence ***and*** advanced data analysis and processing;

Amendment 89

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6a – paragraph 2 – subparagraph 1

Text proposed by the Commission

A first watch list shall be established by ..
[OP please insert the date = the first day of
the month following 24 months after the
date of entry into force of this Directive].
The watch list shall be updated every 36
months thereafter.

Amendment

A first watch list shall be established by ..
[OP please insert the date = the first day of
the month following 24 months after the
date of entry into force of this Directive].
The watch list shall be updated ***at the latest***
every 36 months thereafter ***or more***
frequently if new scientific evidence
emerges that would necessitate the list
being updated in the interim period
between individual reviews.

Amendment 90

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6a – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

***Member States shall evaluate every two
years the impact on water quality of
industrial activities related to the energy
transition and inform the Commission of
newly identified threats so that it can
update the watch list accordingly. The
evaluation shall be easily accessible to the
public.***

Amendment 91

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6a – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

Each Member State shall select at least ***one***
monitoring ***station***, plus the number of
stations equal to its total area in km² of
groundwater bodies divided by ***60 000***

Each Member State shall select at least ***two***
monitoring ***stations***, plus the number of
stations equal to its total area in km² of
groundwater bodies divided by ***30 000***

(rounded to the nearest integer).

(rounded to the nearest integer).

Amendment 92

Proposal for a directive

Article 2 – paragraph 1 – point 6 a (new)

Directive 2006/118/EC

Article 6a a (new)

Text proposed by the Commission

Amendment

(6a) The following Article is inserted:

'Article 6aa

Improving protection of groundwater ecosystems

The Commission shall, not later than [OP: please insert the date = four years after the date of entry into force of this Directive], publish an assessment of the impacts of physico-chemical elements, like pH, oxygenation, and temperature, on health of groundwater ecosystems, accompanied, where appropriate, by a legislative proposal to revise this Directive accordingly, in order to set the corresponding parameters, provide for harmonized monitoring methods, and define what would constitute a “good ecological status” for groundwater.'

Amendment 93

Proposal for a directive

Article 2 – paragraph 1 – point 6 b (new)

Directive 2006/118/EC

Article 6a b (new)

Text proposed by the Commission

Amendment

(6b) The following Article is inserted:

'Article 6ab

Specific treatment for areas of high ecological value, vulnerability or pollution

The Commission shall,... [not later than four years after the entry into force of this Directive], publish an assessment of the

chemical status of areas characterised by high ecological value, vulnerability or pollution, such as caves and karst areas, former industrial sites and other areas with known historical contamination, accompanied, where appropriate, by a legislative proposal to revise this Directive.

Amendment 94

Proposal for a directive

Article 2 – paragraph 1 – point 6 c (new)

Directive 2006/118/EC

Article 6a c (new)

Text proposed by the Commission

Amendment

(6c) The following Article is inserted:

Article 6ac

No later than... [one year after the date of entry into force of this Directive], the Commission shall present an impact assessment examining the inclusion in this Directive of an extended producer responsibility mechanism, ensuring that producers that place on the market products containing any of the substances or compounds listed in Annex I, as well as substances of emerging concern included in the watch list under this Directive, contribute to the costs for monitoring programmes designed under Article 8 of Directive 2000/60/EC. The impact assessment shall be accompanied, where appropriate, by a legislative proposal to revise this Directive.

Amendment 95

Proposal for a directive

Article 2 – paragraph 1 – point 6 d (new)

Directive 2006/118/EC

Article 6a d (new)

Text proposed by the Commission

Amendment

(6d) The following Article is inserted:

Article 6ad

European monitoring facility

The Commission shall, ... [one year after the date of entry into force of this Directive], set up a joint monitoring facility for managing the monitoring requirements when so requested by the Member States.

The Commission shall define the functioning of the monitoring facility, which shall cover, inter alia, the following:

(a) the voluntary nature of the use of the monitoring facility, which shall be without prejudice to arrangements already put in place by the Member States;

(b) the operational procedures for Member States that intend to make use of the monitoring facility, which shall, inter alia, include the required notification to the Commission of their exact monitoring needs or capabilities, the exact protocols for samples managing, as well as the length of time they intend to remain part of the mechanism;

(c) the sources of funding, which may include relevant Union structural funds and programmes, as well as contributions from the private sector, including under the extended producer responsibility mechanism, once put in place in accordance with Article 6ac.

Amendment 96

Proposal for a directive

Article 2 – paragraph 1 – point 7

Directive 2006/118/EC

Article 8 – paragraph 1

Text proposed by the Commission

1. The Commission shall review, for the first time by ... [OP: please insert the

Amendment

1. The Commission shall review, for the first time by ... [OP: please insert the

date = **six** years after the date of entry into force of this Directive] and every **six** years thereafter, the list of pollutants set out in Annex I and the quality standards for those pollutants set out in that Annex, as well as the list of pollutants and indicators set out in Part B of Annex II.

Amendment 97

Proposal for a directive

Article 2 – paragraph 1 – point 7

Directive 2006/118/EC

Article 8 – paragraph 2

Text proposed by the Commission

2. The Commission **is empowered to adopt delegated acts, in accordance with Article 8a**, to amend Annex I to adapt it to technical and scientific progress by adding or removing groundwater pollutants and quality standards for those pollutants set out in that Annex **and** to amend Part B in order to adapt it to technical and scientific progress by adding pollutants or indicators for which Member States have to consider establishing national thresholds.

Amendment 98

Proposal for a directive

Article 2 – paragraph 1 – point 7

Directive 2006/118/EC

Article 8 – paragraph 4

Text proposed by the Commission

4. When adopting delegated acts as referred to in paragraphs 2 and 3, the Commission shall take the scientific reports prepared by ECHA pursuant to paragraph 6 of this Article into account.

date = **four** years after the date of entry into force of this Directive] and every **four** years thereafter, the list of pollutants set out in Annex I and the quality standards for those pollutants set out in that Annex, as well as the list of pollutants and indicators set out in Part B of Annex II.

Amendment

2. **Based on the review**, the Commission **shall, where appropriate, come forward with legislative proposals** to amend Annex I to adapt it to technical and scientific progress by adding or removing groundwater pollutants and quality standards for those pollutants set out in that Annex. **The Commission is empowered to adopt delegated acts, in accordance with Article 8a**, to amend Part B **of Annex II** in order to adapt it to technical and scientific progress by adding pollutants or indicators for which Member States have to consider establishing national thresholds.

Amendment

4. When adopting **legislative proposals and** delegated acts as referred to in paragraphs 2 and 3, the Commission shall take the scientific reports prepared by ECHA pursuant to paragraph 6 of this Article into account.

Amendment 99

Proposal for a directive

Article 2 – paragraph 1 – point 7

Directive 2006/118/EC

Article 8 – paragraph 6 – point f

Text proposed by the Commission

(f) Union research programmes and scientific publications, including information resulting from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices and/or citizen science data, leveraging the opportunities offered by artificial intelligence, advanced data analysis and processing;

Amendment

(f) Union research programmes and scientific publications, including ***up-to-date*** information resulting from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices and/or citizen science data, leveraging the opportunities offered by ***best available techniques which could include*** artificial intelligence, advanced data analysis and processing;

Amendment 100

Proposal for a directive

Article 2 – paragraph 1 – point 7

Directive 2006/118/EC

Article 8 – paragraph 6 – point g

Text proposed by the Commission

(g) comments and information from relevant stakeholders.

Amendment

(g) comments and information from relevant stakeholders, ***including national regulatory authorities and other relevant bodies.***

Amendment 101

Proposal for a directive

Article 2 – paragraph 1 – point 7

Directive 2006/118/EC

Article 8 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. By 12 January 2025, the Commission shall establish technical guidelines regarding methods of analysis for monitoring of per- and polyfluoroalkyl substances under the parameters ‘PFAS Total’ The Commission is empowered to adopt delegated acts in accordance with

Article 8a amending this Directive by setting a quality standard for 'PFAS total' and amend Annex I accordingly. The Commission shall adopt these delegated acts by 12 January 2026.

Amendment 102

Proposal for a directive

Article 2 – paragraph 1 – point 7

Directive 2006/118/EC

Article 8 – paragraph 7

Text proposed by the Commission

7. ECHA shall, every **six** years, prepare and make publicly available a report, summarizing the findings of the review referred to in paragraphs 2 and 3. The first report shall be submitted to the Commission on ... [OP: Please insert the date = **five** years after the date of entry into force of this Directive].

Amendment

7. ECHA shall, every **four** years, prepare and make publicly available a report, summarizing the findings of the review referred to in paragraphs 2 and 3. The first report shall be submitted to the Commission on ... [OP: Please insert the date = **three** years after the date of entry into force of this Directive].

Amendment 103

Proposal for a directive

Article 2 – paragraph 1 – point 8

Directive 2006/118/EC

Article 8a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article **8(1) and (2)** shall be conferred on the Commission for **an indeterminate** period of **time** from [OP please insert the date = the date of entry into force of this Directive].

Amendment

2. The power to adopt delegated acts referred to in Article **8(2), (3) and (6a)** shall be conferred on the Commission for a period of **6 years** from [date of entry into force of this Directive]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 6 year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Amendment 104
Proposal for a directive
Article 2 – paragraph 1 – point 8
Directive 2006/118/EC
Article 8a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article **8(1) and (2)** may be revoked at any time by the European Parliament and the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of the delegated acts already in force.

Amendment

3. The delegation of power referred to in Article **8(2), (3) and (6a)** may be revoked at any time by the European Parliament and the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of the delegated acts already in force.

Amendment 105
Proposal for a directive
Article 2 – paragraph 1 – point 8
Directive 2006/118/EC
Article 8a – paragraph 4

Text proposed by the Commission

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better **Law-Marking**.

Amendment

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better **Law-Making**.

Amendment 106
Proposal for a directive
Article 2 – paragraph 1 – point 8
Directive 2006/118/EC
Article 8a – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article **8(1) or (2)** shall enter into force only if no objection has been expressed

Amendment

6. A delegated act adopted pursuant to Article **8(2), (3) or (6a)** shall enter into force only if no objection has been

either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.;

expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 107

Proposal for a directive

Article 2 – paragraph 1 – point 14

Directive 2006/118/EC

Annex IV – part B – point 1 – introductory part

Text proposed by the Commission

the starting point for implementing measures to reverse significant and sustained upward trends will be when the concentration of the pollutant reaches 75 % of the parametric values of the groundwater quality standards set out in Annex I and of the threshold values referred to in Article 3(1), points (b) and (c), unless:.

Amendment

the starting point for implementing measures to reverse significant and sustained upward trends, ***including seasonal upward trends caused, inter alia, by low discharge of a water body***, will be when the concentration of the pollutant reaches 75 % of the parametric values of the groundwater quality standards set out in Annex I and of the threshold values referred to in Article 3(1), points (b) and (c), unless:.

Amendment 108

Proposal for a directive

Article 3 – paragraph 1 – point 1 a (new)

Directive 2008/105/EC

Article 1

Present text

Article 1

Subject matter

This Directive lays down environmental quality standards (EQS) for priority

Amendment

(1a) Article 1 is amended as follows:

"Article 1

Subject matter

This Directive lays down environmental quality standards (EQS) for priority

substances and *certain other pollutants as provided for in Article 16 of Directive 2000/60/EC*, with the aim of achieving good surface water chemical status and in accordance with the provisions and objectives of Article 4 of *that* Directive.

substances and *priority hazardous substances*, with the aim of achieving good surface water chemical status and in accordance with the provisions and objectives of Article 4 of Directive *2000/60/EC*."

(02008L0105)

Amendment 109

Proposal for a directive

Article 3 – paragraph 1 – point 3 – point a

Directive 2008/105/EC

Article 5 – paragraph 1 – subparagraph 1

Text proposed by the Commission

On the basis of the information collected in accordance with Articles 5 and 8 of Directive 2000/60/EC, and other available data, Member States shall establish an inventory, including maps, if available, of emissions, discharges and losses of all priority substances listed in Part A of Annex I to this Directive and all pollutants listed in Part A of Annex II to this Directive for each river basin district or part of a river basin district lying within their territory, including their concentrations in sediment and biota, as appropriate.

Amendment

On the basis of the information collected in accordance with Articles 5 and 8 of Directive 2000/60/EC, **and with Regulation (EU).../... of the European Parliament and of the Council^{1a}**, and other available data, Member States shall establish an inventory, including maps, if available, of emissions, discharges and losses of all priority substances listed in Part A of Annex I to this Directive and all pollutants listed in Part A of Annex II to this Directive for each river basin district or part of a river basin district lying within their territory, including their concentrations in sediment and biota, as appropriate.

^{1a} OP: Please insert in the text the number of the Regulation contained in document COM (2022) 157

Amendment 110

Proposal for a directive

Article 3 – paragraph 1 – point 3 – point a

Directive 2008/105/EC

Article 5 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The inventories of emissions shall be made available in an electronic database that is updated regularly and is easily accessible to the public.

Amendment 111

Proposal for a directive

Article 3 – paragraph 1 – point 3 – point a

Directive 2008/105/EC

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The first subparagraph shall not apply to emissions, discharges and losses reported to the Commission electronically in accordance with Regulation (EU) .../... of the European Parliament and of the Council⁶⁵ . ;

deleted

⁶⁵ OP: Please insert in the text the number of the Regulation contained in document COM (2022) 157

Amendment 112

Proposal for a directive

Article 3 – paragraph 1 – point 3 – point c

Directive 2008/105/EC

Article 5 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall update their inventories as part of the reviews of the analyses specified in Article 5(2) of Directive 2000/60/EC and shall ensure that the emissions ***not*** reported to the Industrial Emissions Portal established under Regulation (EU) .../...++, are published in their river basin management plans as updated in accordance with Article 13(7) of that Directive.

Member States shall update their inventories as part of the reviews of the analyses specified in Article 5(2) of Directive 2000/60/EC and shall ensure that the emissions, ***including those*** reported to the Industrial Emissions Portal established under Regulation (EU) .../...++, are published in their river basin management plans as updated in accordance with Article 13(7) of that Directive.

Amendment 113

Proposal for a directive

Article 3 – paragraph 1 – point 3 – point c

Directive 2008/105/EC

Article 5 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Amendment

For priority substances or pollutants covered by Regulation (EC) No 1107/2009, the entries may be calculated as the average of the three years before the completion of the analysis referred to in the first subparagraph.

deleted

Amendment 114

Proposal for a directive

Article 3 – paragraph 1 – point 4

Directive 2008/105/EC

Article 7a – paragraph 1

Text proposed by the Commission

Amendment

1. For priority substances that fall within the scope of Regulation (EC) No 1907/2006, Regulation (EC) No 1107/2009, Regulation (EU) No 528/2012, Regulation (EU) 2019/6 of the European Parliament and of the Council*, or within the scope of Directive 2001/83/EC of the European Parliament and of the Council**, Directive 2009/128/EC of the European Parliament and of the Council*** or Directive 2010/75/EU, the Commission shall, ***as part of the report referred to in Article 18(1) of Directive 2000/60/EC***, assess whether the measures in place at Union and Member State level are sufficient to achieve the EQS for priority substances and the cessation or phasing-out objective for discharges, emissions and losses of priority hazardous substances in accordance with Article 4(1), point (a), of Directive 2000/60/EC.

1. For priority substances that fall within the scope of Regulation (EC) No 1907/2006, Regulation (EC) No 1107/2009, Regulation (EU) No 528/2012, Regulation (EU) 2019/6 of the European Parliament and of the Council*, or within the scope of Directive 2001/83/EC of the European Parliament and of the Council**, Directive 2009/128/EC of the European Parliament and of the Council*** or Directive 2010/75/EU, the Commission shall, ***every two years***, assess whether the measures in place at Union and Member State level are sufficient to achieve the EQS for priority substances and the cessation or phasing-out objective for discharges, emissions and losses of priority hazardous substances in accordance with Article 4(1), point (a), of Directive 2000/60/EC.

Amendment 115

Proposal for a directive
Article 3 – paragraph 1 – point 4
Directive 2008/105/EC
Article 7a – paragraph 1 – subparagraph 1a (new)

Text proposed by the Commission

Amendment

The hierarchy of measures to be taken shall prioritise restrictions and other control-at-source measures. In this regard, the Commission shall, where appropriate, present proposals to amend Union legal acts to ensure that discharges, emissions and losses of priority substances are halted at the source.

Amendment 116
Proposal for a directive
Article 3 – paragraph 1 – point 4 a (new)
Directive 2008/105/EC
Article 7a – paragraph 2

Present text

Amendment

2. The Commission shall report to the European Parliament and to the Council on the outcome of the assessment referred to in paragraph 1 of this Article ***in accordance with the timetable laid down in Article 16(4) of Directive 2000/60/EC*** and shall accompany its report with any appropriate proposals including for control measures.

(4 a) In Article 7a, paragraph 2 is replaced by the following:

"2. The Commission shall report to the European Parliament and to the Council on the outcome of the assessment referred to in paragraph 1 of this Article ***no later than six months after its assessment*** and shall accompany its report with any appropriate proposals including for control measures."

(02008L0105)

Amendment 117
Proposal for a directive
Article 3 – paragraph 1 – point 5
Directive 2008/105/EC
Article 8 – paragraph 1

Text proposed by the Commission

1. The Commission shall review, for the first time by ... [OP: Please insert the date = **six** years after the date of entry into force of this Directive] and every **six** years thereafter, the list of priority substances and the corresponding EQS for those substances set out in Part A of Annex I and the list of pollutants set out in Part A of Annex II.

Amendment 118

Proposal for a directive

Article 3 – paragraph 1 – point 5

Directive 2008/105/EC

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission **is empowered to adopt delegated acts**, having regard to the scientific reports prepared by the European Chemicals Agency (ECHA) pursuant to paragraph 6 of this Article, **in accordance with Article 9a** to amend Annex I in order to adapt it to scientific and technological progress by:

Amendment 119

Proposal for a directive

Article 3 – paragraph 1 – point 5

Directive 2008/105/EC

Article 8 – paragraph 4 – point a

Text proposed by the Commission

(a) the risk posed by the pollutants, including their hazard, their environmental concentrations and the concentration above which effects might be expected;

Amendment 120

Amendment

1. The Commission shall review, for the first time by ... [OP: Please insert the date = **four** years after the date of entry into force of this Directive] and every **four** years thereafter, the list of priority substances and the corresponding EQS for those substances set out in Part A of Annex I and the list of pollutants set out in Part A of Annex II.

Amendment

2. **Based on the review**, the Commission **shall, where appropriate, come forward with legislative proposals**, having regard to the scientific reports prepared by the European Chemicals Agency (ECHA) pursuant to paragraph 6 of this Article, to amend Annex I in order to adapt it to scientific and technological progress by:

Amendment

(a) the risk posed by the pollutants, including their hazard, their environmental concentrations and the concentration above which effects might be expected, **including their cumulative effects**;

Proposal for a directive
Article 3 – paragraph 1 – point 5
Directive 2008/105/EC
Article 8 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. *By 12 January 2025, the Commission shall establish technical guidelines regarding methods of analysis for monitoring of per- and polyfluoroalkyl substances under the parameters ‘PFAS Total’. By 12 January 2026, the Commission shall adopt a delegated act in accordance with Article 9a amending this Directive by setting a quality standard for ‘PFAS total’ and amending Annex I accordingly.*

Amendment 121
Proposal for a directive
Article 3 – paragraph 1 – point 5
Directive 2008/105/EC
Article 8 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. *By... [two years after the entry into force of this Directive], the Commission shall establish technical guidelines regarding methods of analysis for monitoring of bisphenols, including at least bisphenol-A, bisphenol-B and bisphenol-S, under the parameter ‘Bisphenols Total’. By... [three years after the entry into force of this Directive] the Commission shall adopt a delegated act in accordance with Article 9a amending this Directive by setting an EQS for ‘Bisphenols Total’ using a relative potency factor approach and amending Annex I accordingly*

Amendment 122
Proposal for a directive
Article 3 – paragraph 1 – point 5
Directive 2008/105/EC

Article 8 – paragraph 7

Text proposed by the Commission

7. ECHA shall every **six** years prepare and make publicly available a report summarizing the findings of the scientific reports established under paragraph 6. The first report shall be submitted to the Commission on ... [OP: Please insert the date = **five** years after the date of entry into force of this Directive].

Amendment

7. ECHA shall every **four** years prepare and make publicly available a report summarizing the findings of the scientific reports established under paragraph 6. The first report shall be submitted to the Commission on ... [OP: Please insert the date = **three** years after the date of entry into force of this Directive].

Amendment 123

Proposal for a directive

Article 3 – paragraph 1 – point 6

Directive 2008/105/EC

Article 8a – paragraph 1– subparagraph 2

Text proposed by the Commission

Member States **may** present the extent of any deviation from the EQS value for the substances referred to in the first subparagraph, points (a), (b) and (c), in the river basin management plans produced in accordance with Article 13 of Directive 2000/60/EC. Member States providing additional maps as referred to in the first subparagraph shall seek to ensure their inter-comparability at river basin and Union level and shall make the data available in accordance with Directive 2003/4/EC, Directive 2007/2/EC of the European Parliament and of the Council* and Directive (EU) 2019/1024 of the European Parliament and of the Council**.

Amendment

Member States **shall** present the extent of any deviation from the EQS value for the substances referred to in the first subparagraph, points (a), (b) and (c), in the river basin management plans produced in accordance with Article 13 of Directive 2000/60/EC. Member States providing additional maps as referred to in the first subparagraph shall seek to ensure their inter-comparability at river basin and Union level and shall make the data available in accordance with Directive 2003/4/EC, Directive 2007/2/EC of the European Parliament and of the Council* and Directive (EU) 2019/1024 of the European Parliament and of the Council**.

Amendment 124

Proposal for a directive

Article 3 – paragraph 1 – point 6

Directive 2008/105/EC

Article 8a – paragraph 2

Text proposed by the Commission

Amendment

2. Member States may monitor substances identified in Part A of Annex I as substances behaving like ubiquitous PBTs less intensively than is required for priority substances in accordance with Article 3(4) of this Directive and Annex V to Directive 2000/60/EC, provided that the monitoring is representative and a statistically robust baseline is available regarding the presence of those substances in the aquatic environment. As a guideline, in accordance with Article 3(6), second subparagraph, of this Directive, monitoring should take place every three years, unless technical knowledge and expert judgment justify another interval.

2. Member States may monitor substances identified in Part A of Annex I as substances behaving like ubiquitous PBTs ***and which are no longer authorised and used in the Union*** less intensively than is required for priority substances in accordance with Article 3(4) of this Directive and Annex V to Directive 2000/60/EC, provided that the monitoring is representative and a statistically robust baseline is available regarding the presence of those substances in the aquatic environment. As a guideline, in accordance with Article 3(6), second subparagraph, of this Directive, monitoring should take place every three years, unless technical knowledge and expert judgment justify another interval.

Amendment 125

Proposal for a directive

Article 3 – paragraph 1 – point 6

Directive 2008/105/EC

Article 8a – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall, within 12 months of the two-year period referred to in paragraph 3, publish a report on the reliability of the effect-based methods by comparing the effect-based results with the results obtained using the conventional methods for monitoring the three estrogenic substances listed in paragraph 3 in anticipation of a possible setting of effect-based trigger values in the future.

Once effect-based methods are ready to use also for other substances, the Commission shall be empowered to adopt delegated acts in accordance with Article 9a to supplement this Directive by adding a requirement for the Member States to use the effect-based methods, in parallel with conventional monitoring methods, to carry out monitoring to assess the

presence of those substances in water bodies.

Amendment 126

Proposal for a directive

Article 3 – paragraph 1 – point 7

Directive 2008/105/EC

Article 8b – paragraph 1 – subparagraph 2

Text proposed by the Commission

The watch list shall contain a **maximum of 10** substances or groups of substances **at any one time, and** shall **indicate** the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs for the competent authorities. **The substances to be included in the watch list shall be selected from amongst the substances for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient. The watch list shall include substances of emerging concern.**

Amendment

The watch list shall contain a **minimum of five** substances or groups of substances **of emerging concern selected from amongst those substances for which the information available, also in accordance with the fourth subparagraph, indicates that they could pose a significant risk at Union level to, or via, the aquatic environment, and for which the monitoring data are insufficient, except where the number of substances or groups of substances for which the information available indicates that they could pose a significant risk to, or via, the aquatic environment to be selected from is less than five, in which case the watch list shall contain all of those substances.**

In addition to the minimum number of substances or group of substances, the watch list may also contain indicators of pollution.

The watch list shall specify the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs for the competent authorities.

Amendment 127

Proposal for a directive

Article 3 – paragraph 1 – point 7

Directive 2008/105/EC

Article 8b – paragraph 1 – subparagraph 3

Text proposed by the Commission

As soon as suitable monitoring methods for micro-plastics and selected antimicrobial resistance genes **have been** identified, **those substances** shall be included in the watch list.

Amendment

Suitable monitoring methods for micro-plastics and selected antimicrobial resistance genes **shall be identified as soon as possible and no later than [the first day of the month following 18 months after the date of entry into force of this amending Directive]. As soon as those monitoring methods are identified, micro-plastics and selected antimicrobial resistance genes** shall be included in the watch list **in accordance with paragraph 2. The Commission shall also consider whether including sulfates, xanthates and non-relevant metabolites of pesticides (NrMs) in the watch list is necessary to improve availability of data on their presence with regard to the scope of this directive.**

Amendment 128

Proposal for a directive

Article 3 – paragraph 1 – point 7

Directive 2008/105/EC

Article 8b – paragraph 1 – subparagraph 4 – introductory part

Text proposed by the Commission

ECHA shall prepare scientific reports to assist the Commission in selecting the substances for the watch list, taking into account the following information:

Amendment

ECHA shall prepare scientific reports to assist the Commission in selecting the substances **and indicators of pollution** for the watch list, taking into account the following information:

Amendment 129

Proposal for a directive

Article 3 – paragraph 1 – point 7

Directive 2008/105/EC

Article 8b – paragraph 1 – subparagraph 4 – point e

Text proposed by the Commission

(e) research projects and scientific publications, including information on trends and **predictions** based on modelling or other predictive assessments **and data**

Amendment

(e) research projects and scientific publications **and evidence**, including information on trends and **forecasts** based on modelling or other predictive

and information *from* remote sensing technologies, earth observation (Copernicus services), *in-situ* sensors and devices, or citizen science data, *leveraging* the opportunities *offered* by artificial intelligence, advanced data analysis and processing.

assessments, *as well as* information *and data collected by* remote sensing technologies, Earth observation (Copernicus services), *in situ* sensors and devices, or citizen science data, *taking advantage of* the opportunities *presented* by artificial intelligence *and* advanced data analysis and processing;

Amendment 130

Proposal for a directive

Article 3 – paragraph 1 – point 7

Directive 2008/105/EC

Article 8b – paragraph 2

Text proposed by the Commission

2. The watch list shall be updated by X [OP please insert date = the last day of the *twentythird* month after the date of entry into force of this Directive], and every 36 months thereafter. When updating the watch list, the Commission shall remove any substance from the existing watch list for which it considers it possible to assess its risk for the aquatic environment without additional monitoring data. When the watch list is updated, an individual substance or group of substances may be kept on the watch list for another period of maximum three years where additional monitoring data are needed to assess the risk to the aquatic environment. Each updated watch list shall also include one or more new substances for which the Commission considers, on the basis of the scientific reports of ECHA, that there is a risk for the aquatic environment.

Amendment

2. The watch list shall be updated by X [OP please insert date = the last day of the *twenty-third* month after the date of entry into force of this Directive], and *at the latest* every 36 months thereafter *or more frequently if new scientific evidence emerges that would necessitate updating the list in the period between individual reviews*.

Member States shall evaluate every two years the impact on water quality of industrial activities related to the energy transition and inform the Commission of newly identified threats so that it may update the watch list accordingly. The evaluation shall be easily accessible to the public.

When updating the watch list, the Commission shall remove any substance from the existing watch list for which it considers it possible to assess its risk for the aquatic environment without additional monitoring data. When the watch list is updated, an individual substance or group of substances may be kept on the watch list for another period of maximum three years where additional monitoring data are needed to assess the risk to the aquatic environment. Each updated watch list shall also include one or more new substances for which the Commission considers, on the basis of the scientific reports of ECHA, that there is a risk for the aquatic environment.

Amendment 131

Proposal for a directive

Article 3 – paragraph 1 – point 7

Directive 2008/105/EC

Article 8b – paragraph 3 – subparagraph 3

Text proposed by the Commission

In selecting the representative monitoring stations, the monitoring frequency and the seasonal timing for each substance or group of substances, Member States shall take into account the use patterns and possible occurrence of the substance or group of substances. The ***frequency of monitoring shall be no less than twice per year, except for substances that are sensitive to climatic or seasonal variabilities, for which the monitoring shall be carried out more frequently***, as set out in the implementing act establishing the watch list adopted pursuant to paragraph 1.

Amendment

In selecting the representative monitoring stations, the monitoring frequency and the seasonal timing for each substance or group of substances, Member States shall take into account the use patterns and possible occurrence of the substance or group of substances. The monitoring ***frequency shall be no less than twice per year. The frequency shall be higher***, as set out in the implementing act establishing the watch list adopted pursuant to paragraph 1, ***for substances that are sensitive to climatic variations, including rainfall, and for substances whose concentration is likely to peak over short periods as a result of seasonal fluctuations in the use of those substances.***

Amendment 132

Proposal for a directive
Article 3 – paragraph 1 – point 7 a (new)
Directive 2008/105/EC
Article 8b a (new)

Text proposed by the Commission

Amendment

(7a) The following Article 8ba is inserted :

‘Article 8ba

No later than... [one year after the date of entry into force of this Directive], the Commission shall present an impact assessment examining the inclusion in this Directive of an extended producer responsibility mechanism which ensures that producers that place on the market products containing any of the substances or compounds listed in Annex I, as well as substances of emerging concern included in the watch list under this Directive, contribute to the costs for monitoring programmes designed under Article 8 of Directive 2000/60/EC. The impact assessment shall be accompanied, where appropriate, by a legislative proposal to revise this Directive.’

Amendment 133
Proposal for a directive
Article 3 – paragraph 1 – point 7 b (new)
Directive 2008/105/EC
Article 8b b (new)

Text proposed by the Commission

Amendment

(7b) The following Article is inserted:

“Article 8bb

European monitoring facility

The Commission shall by... [one year after the date of entry into force of this Directive], set up a joint monitoring facility for managing the monitoring requirements when so requested by the Member States.

The Commission shall define the functioning of the monitoring facility, which shall cover, inter alia, the following:

(a) the voluntary nature of the use of the monitoring facility, which shall be without prejudice to arrangements already put in place by the Member States;

(b) the operational procedures for Member States that intend to make use of the monitoring facility, which shall, inter alia, include the required notification to the Commission, their exact monitoring needs or capabilities, the exact protocols for samples management, as well as the length of time they intend to remain part of the mechanism;

(c) the sources of funding, which may include relevant Union structural funds and programmes, as well as contributions from the private sector, including under the extended producer responsibility mechanism, once put in place in accordance with Article 8ba.”

Amendment 134

Proposal for a directive

Article 3 – paragraph 1 – point 8

Directive 2008/105/EC

Article 8d – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. In setting and applying for EQS for the river basin specific pollutants, Member States may take into account metal bioavailability.

Justification

It is important that adequate measuring tools are used.

Amendment 135

Proposal for a directive
Article 3 – paragraph 1 – point 8 a (new)
Directive 2008/105/EC
Article 9a – paragraph 2

Present text

2. The power to adopt delegated acts referred to in Article 3(8) shall be conferred on the Commission for a period of **six** years from **13 September 2013**. The Commission shall draw up a report in respect of the delegation of power **not later than nine** months before the end of the **six-year** period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Amendment

(8 a) In Article 9a, paragraph 2 is amended as follows:

"2. The power to adopt delegated acts referred to in Article 3(8), **Article 8(3), (6a), (6b) and 8a(3a)** shall be conferred on the Commission for a period of **6** years from **[OP please insert the date = the date of entry into force of this Directive]**. The Commission shall draw up a report in respect of the delegation of power **at the latest 9** months before the end of the **6 year** period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period."

(02008L0105)

Amendment 136
Proposal for a directive
Article 3 – paragraph 1 – point 8 b (new)
Directive 2008/105/EC
Article 9a – paragraph 3

Present text

3. The delegation of power referred to in Article 3(8) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified

Amendment

(8b) In Article 9a, paragraph 3 is amended as follows:

"3. The delegation of power referred to in Article 3(8), **Article 8(3), (6a), (6b) and 8a(3a)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union

therein. It shall not affect the validity of any delegated acts already in force.

or at a later date specified therein. It shall not affect the validity of any delegated acts already in force."

(02008L0105)

Amendment 137

Proposal for a directive

Article 3 – paragraph 1 – point 8 c (new)

Directive 2008/105/EC

Article 9a – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(8c) In Article 9a, paragraph 3a is inserted:

"3a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making."

Amendment 138

Proposal for a directive

Article 3 – paragraph 1 – point 8 d (new)

Directive 2008/105/EC

Article 9a – paragraph 5

Present text

Amendment

5. A delegated act adopted pursuant to Article 3(8) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or

(8d) In Article 9a, paragraph 5 is amended as follows:

"5. A delegated act adopted pursuant to Article 3(8), **Article 8(3), (6a), (6b) or 8a(3a)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at

of the Council.

the initiative of the European Parliament or
of the Council."

(02008L0105)

Amendment 139

Proposal for a directive

Annex I – paragraph 1 – point 10 a (new)

Directive 2000/60/EC

Annex V – point 1.3.4. – paragraph 4

Present text

Monitoring frequencies shall be selected ***which*** take account of the variability in parameters resulting from both natural and anthropogenic conditions. The times at which monitoring is undertaken shall be selected so as to ***minimise*** the impact of seasonal variation ***on the results***, and thus ensure that the results reflect changes in the water body ***as a result of changes due to*** anthropogenic pressure. ***Additional*** monitoring ***during different seasons of the same year*** shall be carried out, ***where necessary, to achieve this objective.***

Amendment

(10a) In point 1.3.4, paragraph 4 is amended as follows:

"Monitoring frequencies shall be selected, ***and increased if necessary, to*** take account of the variability in parameters resulting from both natural and anthropogenic conditions. ***Furthermore,*** the times at which monitoring is undertaken shall be selected so as to ***take account of*** the impact ***on the status assessment*** of seasonal ***fluctuations in substance use and of variation in water levels*** and thus ensure that the results reflect changes in the water body ***caused by*** anthropogenic pressure ***and by climatic variation. As regards priority substances that are sensitive to climatic variations and priority substances whose concentration is likely to peak over short periods as a result of seasonal fluctuations in the use of these substances,*** the monitoring shall be carried out ***more frequently than for other substances.***"

(02000L0060)

Amendment 140

Proposal for a directive

Annex I – paragraph 1 – point 18

Directive 2000/60/EC

Annex V – point 2.4.5 – subparagraph 4

Text proposed by the Commission

Member States shall also indicate by a black dot on the map, those groundwater bodies which are subject to a significant and sustained upward **trend** in the concentrations of any pollutant resulting from the impact of human activity. Reversal of a trend shall be indicated by a blue dot on the map.

Amendment

Member States shall also indicate by a black dot on the map, those groundwater bodies which are subject to significant and sustained upward **trends, including seasonal upward trends caused, inter alia, by a low discharge of a water body**, in the concentrations of any pollutant resulting from the impact of human activity. Reversal of a trend shall be indicated by a blue dot on the map.

Amendment 141
Proposal for a directive
Annex II – paragraph 1 – point 1
Directive 2000/60/EC
Annex VIII – point 10

Text proposed by the Commission

10. Materials in suspension, including micro/nanoplastics.;

Amendment

10. Materials in suspension, including micro/nanoplastics, **as well as materials known to give rise to micro- or nanoplastics**;

Amendment 142

Proposal for a directive
Annex III
Directive 2006/118/EC
Annex I – introductory part

Text proposed by the Commission

Note 1: The QS for the pollutants listed under entries 3 to 7 shall apply from ... [OP: please insert the date = the first day of the month following **18** months after the entry into force of this amending Directive], with the aim of achieving good water chemical status at the latest by 22 December 2033.

Amendment

Note 1: The QS for the pollutants listed under entries 3 to 7 shall apply from ... [OP: please insert the date = the first day of the month following **6** months after the entry into force of this amending Directive], with the aim of achieving good water chemical status at the latest by 22 December 2033.

Justification

the good chemical status is to be achieved after the 3rd river basin management plan, one

after the current one 2022-2027. the QS should be established as soon as possible so that the measures are properly considered in the 3rd RBMP, as well as in relation to the Industrial Emissions Directive for industrial pollutants, etc.

Amendment 143

Proposal for a directive

Annex III

Directive 2006/118/EC

Annex I – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Where, for a given body of groundwater, in particular one situated in the ecological network of special areas of conservation under Council Directive 92/43/EEC, it is considered that the groundwater quality standards could result in a failure to achieve the environmental objectives specified in Article 4 of Directive 2000/60/EC for associated bodies of surface water, or in any significant deterioration of the ecological or chemical quality of such bodies, or in any significant damage to groundwater or terrestrial ecosystems which depend directly on that body of groundwater, more stringent threshold values shall be established in accordance with Article 3 and Annex II to this Directive. Programmes and measures required in relation to such threshold values shall also apply to activities falling within the scope of Directive 91/676/EEC.

Amendment 144

Proposal for a directive

Annex III

Directive 2006/118/EC

Annex I – table – row 4

Text proposed by the Commission

| | | | | | |
|---|--|------------|----------------|----------------|------------------|
| 2 | Active substances in pesticides, including their | Pesticides | not applicable | not applicable | 0,1 (individual) |
|---|--|------------|----------------|----------------|------------------|

| | | | | | |
|--|--|--|--|--|----------------------------|
| | relevant metabolites, degradation and reaction products ⁽⁴⁾ | | | | 0,5 (total) ⁽⁵⁾ |
|--|--|--|--|--|----------------------------|

(5) ‘Total’ means the sum of all individual pesticides detected and quantified in the monitoring procedure, including their relevant metabolites, degradation and reaction products.

Amendment

| | | | | | |
|---|---|------------|----------------|----------------|-----------------------------------|
| 2 | Active substances in pesticides, including their relevant metabolites, degradation and reaction products ⁽⁴⁾ | Pesticides | not applicable | not applicable | 0,05 (individual) ^(4a) |
| | | | | | 0,25 (total) ⁽⁵⁾ |

(4a) This threshold value shall only apply pending the Commission’s review.

(5) ‘Total’ means the sum of all individual pesticides detected and quantified in the monitoring procedure, including their relevant metabolites, degradation and reaction products. ***The threshold value set for the sum of all individual pesticides shall only apply pending the Commission’s review.***

Amendment 145

Proposal for a directive

Annex III

Directive 2006/118/EC

Annex I – table – row 5a (new)

Text proposed by the Commission

Amendment

| | | | | | |
|------------------|----------------------------|-------------------------------------|------------------------------|------------------------------|--------------------|
| <i>3a</i> | <i>PFAS - total</i> | <i>Industrial substances</i> | <i>not applicable</i> | <i>not applicable</i> | <i>(7a)</i> |
|------------------|----------------------------|-------------------------------------|------------------------------|------------------------------|--------------------|

(7a) The quality standard shall be set by the Commission by delegated act.

Amendment 146

Proposal for a regulation

Annex III

Directive 2006/118/EC

Annex I – table – row 6

Text proposed by the Commission

| | | | | | |
|---|---------------|-----------------|----------|----------------|-------------|
| 4 | Carbamazepine | Pharmaceuticals | 298-46-4 | not applicable | 0,25 |
|---|---------------|-----------------|----------|----------------|-------------|

Amendment

| | | | | | |
|---|---------------|-----------------|----------|----------------|--------------|
| 4 | Carbamazepine | Pharmaceuticals | 298-46-4 | not applicable | 0,025 |
|---|---------------|-----------------|----------|----------------|--------------|

Justification

It is not appropriate to set the same quality standard for groundwater as for surface waters. In general, the quality standard for groundwater should be ten times lower as for surface water. As the EQS for carbamazepine in surface water has been set at 0,25 µg/l, the quality standard for carbamazepine in groundwater should be set at 0,025 µg/l.

Amendment 147

Proposal for a directive

Annex III

Directive 2006/118/EC

Annex I – table – row 8

Text proposed by the Commission

| | | | | | |
|---|---|-----------------|----------------|----------------|-------------|
| 6 | Pharmaceutical active substances – total ⁽⁸⁾ | Pharmaceuticals | not applicable | not applicable | 0,25 |
|---|---|-----------------|----------------|----------------|-------------|

Amendment

| | | | | | |
|---|---|-----------------|----------------|----------------|--------------|
| 6 | Pharmaceutical active substances – total ⁽⁸⁾ | Pharmaceuticals | not applicable | not applicable | 0,025 |
|---|---|-----------------|----------------|----------------|--------------|

Amendment 148

Proposal for a directive

Annex III

Directive 2006/118/EC

Annex I – table – row 9

Text proposed by the Commission

| | | | | | |
|---|---|------------|----------------|----------------|---|
| 7 | Non-relevant metabolites of pesticides (nrMs) | Pesticides | not applicable | not applicable | 0,1 ⁽⁹⁾ or 1 ⁽¹⁰⁾ or 2,5 or 5 ⁽¹¹⁾ (individual) |
| | | | | | 0,5 ⁽⁹⁾ or 5 ⁽¹⁰⁾ or 12,5 ⁽¹¹⁾ (total) ⁽¹²⁾ |

(9) Applicable to ‘data-poor’ nrMs, i.e. nrMs for which no reliable experimental data on chronic or acute effects of the nrM are available on the taxonomic group confidently predicted to be the most sensitive.

(10) Applicable to ‘data-fair’ nrMs, i.e. nrMs for which reliable experimental data on chronic or acute effects of the nrM are available on the taxonomic group confidently predicted to be the most sensitive, but where the data are insufficient to qualify the substances as ‘data-rich’.

(11) Applicable to ‘data-rich’ nrMs, i.e. nrMs for which reliable experimental data, or equally reliable data obtained by alternative scientifically validated methods, are available on chronic or acute effects of the nrM on at least one species each of algae, of invertebrates, and of fish, allowing the most-sensitive taxonomic group to be confidently confirmed, and for which a QS can be calculated using a deterministic approach based on reliable chronic experimental toxicity data on that taxonomic group; Member States may apply for this purpose the latest guidance established in the framework of the Common Implementation Strategy for Directive 2000/60/EC (Guidance document No. 27, as updated). The QS of 2,5 for individual nrMs shall apply unless the QS calculated by the deterministic approach is higher, in which case a QS of 5 shall apply.

(12) ‘Total’ means the sum of all individual nrMs in each data category detected and quantified in the monitoring procedure.

Amendment

| | | | | | |
|---|---|------------|----------------|----------------|-----------------------------|
| 7 | Non-relevant metabolites of pesticides (nrMs) | Pesticides | not applicable | not applicable | 0,1 (individual) |
| | | | | | 0,5 (total) ⁽¹²⁾ |

(12) ‘Total’ means the sum of all individual nrMs in each data category detected and quantified in the monitoring procedure.

Amendment 149

Proposal for a directive

Annex IV – paragraph 1 – point 1 a (new)

Directive 2006/118/EC

Annex II – Part B – title

Present text

Amendment

Minimum list of pollutants and their indicators for which Member States have to **consider establishing** threshold values in accordance with Article 3

(1a) in part B, the title is replaced by the following:

"Minimum list of pollutants and their indicators for which Member States have to **establish** threshold values in accordance with Article 3"

(02006L0118)

Amendment 150

Proposal for a directive

Annex V – paragraph 1 – point 2

Directive 2008/105/EC

Annex I – table – row 5

Text proposed by the Commission

| | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|--|----------|------------|-----------|-----------|-----|-----|-----|-----|------|------|------|------|
| | Atrazine | Herbicides | 1912-24-9 | 217-617-8 | 0,6 | 0,6 | 2,0 | 2,0 | | | | |

Amendment

| | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|--|----------|------------|-----------|-----------|-----|------|-----|-----|------|------|------|------|
| | Atrazine | Herbicides | 1912-24-9 | 217-617-8 | 0,1 | 0,01 | 2,0 | 2,0 | | | | |

Amendment 151**Proposal for a directive****Annex V – paragraph 1 – point 2**

Directive 2008/105/EC

Annex I – table – row 76

Text proposed by the Commission

| | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|--|------------|------------|-----------|-----------|---|------|-------|-------|------|------|------|------|
| | Glyphosate | Herbicides | 1071-83-6 | 213-997-4 | 0,1 (²⁵) 86,7 (²⁶) | 8,67 | 398,6 | 39,86 | | | | |

5) For freshwater used for the abstraction and preparation of drinking water.**6) For freshwater not used for the abstraction and preparation of drinking water.***Amendment*

| | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|--|-----|-----|-----|-----|-----|-----|-----|-----|------|------|------|------|
| | | | | | | | | | | | | |

| | | | | | | | | | | | | |
|--|--------------------|--------------------|-------------------|-------------------|------------|-------------|-----------|-----------|--|--|--|--|
| | Gly phos ate | Her bici des | 107 1- 83-6 | 213- 997- 4 | <i>0,1</i> | <i>0,01</i> | 398, 6 | 39,8 6 | | | | |
|--|--------------------|--------------------|-------------------|-------------------|------------|-------------|-----------|-----------|--|--|--|--|

Amendment 152
Proposal for a directive
Annex V – paragraph 1 – point 2
 Directive 2008/105/EC
 Annex I – table – row 86 a new

Text proposed by the Commission

Amendment

| | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|--|-------------------|-----------------------------|-----------------------|-----------------------|-----|-----|-----|-----|------|------|------|------|
| | <i>Bisphenols</i> | <i>Industrial chemicals</i> | <i>not applicable</i> | <i>not applicable</i> | * | * | * | * | | | | |

The quality standards will be set by the Commission by delegated act.

Amendment 153
Proposal for a directive
Annex V – paragraph 1 – point 2
 Directive 2008/105/EC
 Annex I – table – row 86 b new

Text proposed by the Commission

Amendment

| | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|--|--------------------|-----------------------------|-----------------------|-----------------------|-----|-----|-----|-----|------|------|------|------|
| | <i>PFA - total</i> | <i>Industrial chemicals</i> | <i>not applicable</i> | <i>not applicable</i> | * | * | * | * | | | | |

| | | | | | | | | | | | | |
|--|--|--------------------|--|--|--|--|--|--|--|--|--|--|
| | | <i>mic als</i> | | | | | | | | | | |
|--|--|--------------------|--|--|--|--|--|--|--|--|--|--|

the quality standards shall be set by the Commission by delegated act.

Amendment 154
Proposal for a directive
Annex V – paragraph 1 – point 2
 Directive 2008/105/EC
 Annex I – table – row 86 c new

Text proposed by the Commission

Amendment

| (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|---|------------------------|-----------------------|-----------------------|------|-------|-----|-----|------|------|------|------|
| <i>Pharmaceutical active substances - total</i> | <i>Pharmaceuticals</i> | <i>not applicable</i> | <i>not applicable</i> | 0,25 | 0,025 | | | | | | |

Amendment 155
Proposal for a directive
Annex VI
 Directive 2008/105/EC
 Annex II – Part A – point 10

Text proposed by the Commission

Amendment

10. Materials in suspension, including micro/nanoplastics

10. Materials in suspension, including micro/nanoplastics, ***as well as materials known to give rise to micro/nanoplastics;***

Amendment 156

Proposal for a directive

Annex VI
Directive 2008/105/CE
Annex II – Part B – point d a (new)

Text proposed by the Commission

Amendment

(da) when setting EQS for metals, bioavailability models shall be considered to account for various water quality parameters that affect bioavailability of metals.

Justification

Sound measuring tools must be used by Member States' competent authorities

EXPLANATORY STATEMENT

Increasing chemization of the natural environment predominantly due to industrial, chemical, pharmaceutical, agricultural and other market-induced activities can lead to chemical pollution of surface and groundwater. As such, it poses a threat to human health as well as to the aquatic environment seriously affecting loss of habitats and biodiversity. This new legislative proposal presented by the European Commission brings forward a revision of the Water Framework Directive together with its two ‘daughter’ Directives, the Groundwater Directive and the Environmental Quality Standard Directive with the purpose to improve the EU water legislation towards achieving its overarching objective of protecting human health and natural ecosystems from toxic pollutants. Being an integral part of the Zero Pollution Action Plan, the Rapporteur is confident the revision of the water legislation concerned should contribute to the implementation of the zero pollution ambition for a toxic-free environment in the EU.

The Rapporteur acknowledges the conclusions of the 2019 Fitness Check evaluation of the EU water legislation with an overall assessment that the respective Directives are fit for purpose and have led to a higher level of protection for water bodies, while the fact that the WFD’s environmental objectives have not been achieved even if the deadline has been extended twice in this regard is largely due to insufficient funding, slow implementation and insufficient integration of environmental objectives in sectoral policies, and not due to a deficiency in the legislation. The Rapporteur notes also the findings in the evaluation that point at possible areas of improvement of the legislation especially in terms of enhanced protection of ecosystems and human health from risks posed by chemical pollutants as well as overcoming the implementation deficits, and it thereby welcomes how these have been translated into policy options feeding into the revised legislation text as proposed by the Commission.

The Rapporteur, therefore, sees no need for amending the unchanged parts of the respective basic acts. However, he suggests to supplement further certain segments with the purpose to ensure the legislation lives up to the challenges posed by the new and emerging substances, supports non-conventional monitoring methods to better measure the effects of chemical mixtures, enables measures for cessation of pollution, applies a precautionary principle in setting the environmental quality standards for controversial substances like glyphosate, enhances monitoring programmes in line with the polluter pays principle, and ensures effective access to justice in case of breaches of the WFD.

In this regard, the following elements are of the main concern for the Rapporteur:

Emerging and new substances

The watch lists are established for surface and groundwater pollutants of emerging and new nature as a monitoring pre-phase before those substances are listed as priority substances. Considering the fast evolving pace of chemicals that appear in the natural environment and have the potential, as pollutants, to cause significant risks to human health and the aquatic life, the extent of substances to appear on those watch lists should not be limited. In addition, taking into consideration the potential risks micro-plastics and antimicrobial resistance genes, both as emerging substances, present to human health, a deadline should be determined for identifying suitable monitoring methods for those substances in order to include those

substances on the watch lists.

EBM

The Rapporteur supports the intent to deploy advanced monitoring methods like the effect-based monitoring (EBM) which is more efficient in determining the impact of complex mixtures of chemicals on water quality. However, considering that important advancement have already been made in applying these methods and that under the present revision further comparison between this new methodology and the conventional ones is expected to determine the EBM as a reliable screening method, the Rapporteur suggests specific provisions that will enable extension and application of the EBM also to additional groups of substances whose combined effects of toxicants co-occurring in the environment shall be assessed and trigger values established using the effect-based monitoring methods.

EQS for glyphosate

Glyphosate is the most frequently used herbicide within the Union for agricultural use. As an active substance it has raised serious concerns in terms of its impact on human health and aquatic toxicity. The market authorisation for glyphosate has been temporarily extended until December 2023, while the European Food Safety Authority is about to release a complex and thorough reassessment of this active substance in July 2023. Various recent scientific studies emphasize the introduction of an EQS that is considerably lower than the threshold value determined in the amending Directive. Taking into consideration these circumstances and with the purpose to ensure the good chemical status of the majority of Union waters, the following EQS for glyphosate should be adopted based on a precautionary principle: a common and unified AA-EQS of 0,1 µg/L for inland surface waters; AA-EQS of 0,01 µg/L for other surface waters.

Phase-out of priority hazardous substances

The Rapporteur sees revoking the current provision in the Article 16(6) WFD on the 20-year deadline for the phase-out of priority hazardous substances as an unnecessary backtrack. The Rapporteur is confident that the phasing out obligation is one of the main objectives of the WFD and it is only enforceable if it is linked to a clear deadline. The provision as such should therefore remain intact.

Extended producer responsibility

Introducing the provision on extended producer responsibility would, similarly to the one included already in the Urban Waste Water Directive, ensure the respective legislation lives up to the polluter pays principle particularly when it comes to financing of monitoring programmes, which, for the time being, rest solely on the national budgets. The application of such a provision is relevant furthermore, when it comes to providing monitoring for emerging and new pollutants as well as in deploying more advanced and non-conventional monitoring methods.

Access to justice

The Rapporteur proposes to enhance the provision on access to justice in environmental matters by concretely defining this right within the relevant legislation and thereby ensuring national courts across the Union abide by this provision making possible for the applicants to be able to rely on national laws when challenging decisions by public authorities that are in breach of the WFD. Such an endeavour would contribute to the actual implementation of the Commission's commitments, under its communication from 14 October 2020 on improving

access to justice in environmental matters, to take action to improve access to justice before national courts in all Member States for citizens and environmental NGOs who have specific concerns about the compatibility with environmental law of administrative acts with effects on the environment.

ANNEX: LIST OF ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the Rapporteur. The Rapporteur has received input from the following entities or persons in the preparation of the draft report:

Entity

Commission DG ENV
Covestro AG
EPPA SA
Environmental Agency of the Republic of Slovenia
European Environmental Bureau
ClientEarth AISBL
Slovenski komite mednarodnega združenja hidrologov Slovenije
Društvo vodarjev Slovenije
Geological Survey Of Slovenia
Slovensko društvo za zaščito voda
Global Water Partnership Slovenia
Institute REVIVO
Legal-Informational Centre for NGOs
Permanent representation of the Republic of Slovenia to the European Union

13.6.2023

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy

(COM(2022)0540 – C9-0361/2022 – 2022/0344(COD))

Rapporteur for opinion: Lina Gálvez Muñoz

AMENDMENT

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take the following into account:

Amendment 1 **Proposal for a directive** **Recital 7**

Text proposed by the Commission

(7) ***A combination of source-control and end-of-pipe measures is required*** to effectively deal with most pollutants across their life cycle, including, as relevant, chemical design, authorisation or approval, control of emissions during manufacturing and use or other processes, and waste handling. The setting of new or stricter quality standards in water bodies therefore complements and is coherent with other Union legislation that addresses or could address the pollution problem at one or

Amendment

(7) Source-control measures ***should be prioritised*** to effectively deal with most pollutants across their life cycle, including, as relevant, chemical design, authorisation or approval, control of emissions during manufacturing and use or other processes, and waste handling. ***If control at source measures fail to achieve good status of water bodies, end-of-pipe measures should be applied.*** The setting of new or stricter quality standards in water bodies therefore complements and is coherent

more of those stages, including Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁴⁹, Regulation (EC) No 1107/2009 of the European Parliament and of the Council⁵⁰, Regulation (EU) No 528/2012 of the European Parliament and of the Council⁵¹, Regulation (EU) 2019/6 of the European Parliament and of the Council⁵², Directive 2001/83/EC of the European Parliament and of the Council⁵³, Directive 2009/128/EC of the European Parliament and of the Council⁵⁴, Directive 2010/75/EU of the European Parliament and of the Council⁵⁵ and Council Directive 91/271/EEC⁵⁶.

with other Union legislation that addresses or could address the pollution problem at one or more of those stages, including Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁴⁹, Regulation (EC) No 1107/2009 of the European Parliament and of the Council⁵⁰, Regulation (EU) No 528/2012 of the European Parliament and of the Council⁵¹, Regulation (EU) 2019/6 of the European Parliament and of the Council⁵², Directive 2001/83/EC of the European Parliament and of the Council⁵³, Directive 2009/128/EC of the European Parliament and of the Council⁵⁴, Directive 2010/75/EU of the European Parliament and of the Council⁵⁵ and Council Directive 91/271/EEC⁵⁶.

⁴⁹ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency (OJ L 396, 30.12.2006, p. 1).

⁵⁰ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

⁵¹ Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

⁵² Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43).

⁵³ Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code

⁴⁹ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency (OJ L 396, 30.12.2006, p. 1).

⁵⁰ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

⁵¹ Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

⁵² Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43).

⁵³ Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code

relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

⁵⁴ Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, (OJ L 309, 24.11.2009, p. 71).

⁵⁵ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁵⁶ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (OJ L 135, 30.5.1991, p. 40).

relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

⁵⁴ Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, (OJ L 309, 24.11.2009, p. 71).

⁵⁵ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

⁵⁶ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment (OJ L 135, 30.5.1991, p. 40).

Amendment 2

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) The new scientific knowledge points to a significant risk from several other pollutants found in water bodies, in addition to those already regulated. In groundwater, a particular problem has been identified through voluntary monitoring for per- and polyfluoroalkyl substances (PFAS) and pharmaceuticals. PFAS have been detected at more than 70% of the groundwater measuring points in the Union and existing national thresholds are clearly exceeded at a considerable number of locations, and pharmaceutical substances are also widely found. In surface waters, perfluorooctane sulfonic acid and its derivatives are already listed as priority substances, but other PFAS are now also recognised to pose a risk. Watch-list monitoring under Article 8b of Directive 2008/105/EC has confirmed a risk in surface waters from a number of pharmaceutical substances which should therefore be added to the priority

Amendment

(8) The new scientific knowledge points to a significant risk from several other pollutants found in water bodies, in addition to those already regulated. In groundwater, a particular problem has been identified through voluntary monitoring for per- and polyfluoroalkyl substances (PFAS) and pharmaceuticals. PFAS have been detected at more than 70% of the groundwater measuring points in the Union and existing national thresholds are clearly exceeded at a considerable number of locations, and pharmaceutical substances are also widely found. ***A subset of specific PFAS as well PFAS total should therefore be added to the list of groundwater pollutants.*** In surface waters, perfluorooctane sulfonic acid and its derivatives are already listed as priority substances, but other PFAS are now also recognised to pose a risk. ***A subset of specific PFAS as well PFAS total should therefore be added to the list of priority***

substances list.

substances. Watch-list monitoring under Article 8b of Directive 2008/105/EC has confirmed a risk in surface waters from a number of pharmaceutical substances which should therefore be added to the priority substances list.

Amendment 3
Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Considering the growing awareness of the relevance of mixtures and therefore of effect-based monitoring for determining chemical status, and considering that sufficiently robust effect-based monitoring methods already exist for estrogenic substances, Member States should apply such methods to assess the cumulative effects of estrogenic substances in surface waters over a period of at least two years. This will allow the comparison of effect-based results with the results obtained using the conventional methods for monitoring the three estrogenic substances listed in Annex I to Directive 2008/105/EC. That comparison will be used to assess whether effect-based monitoring methods may be used as reliable screening methods. Using such screening methods would have the advantage of allowing the effects of all estrogenic substances having similar effects to be covered, and not only those listed in Annex I to Directive 2008/105/EC. The definition of EQS in Directive 2000/60/EC should be modified to ensure that it may, in the future, also cover trigger values that might be set for assessing the results of effect-based monitoring.

Amendment

(11) Considering the growing awareness of the relevance of mixtures and therefore of effect-based monitoring for determining chemical status, and considering that sufficiently robust effect-based monitoring methods already exist for estrogenic substances, Member States should apply such methods to assess the cumulative effects of estrogenic substances in surface waters over a period of at least two years. This will allow the comparison of effect-based results with the results obtained using the conventional methods for monitoring the three estrogenic substances listed in Annex I to Directive 2008/105/EC. That comparison will be used to assess whether effect-based monitoring methods may be used as reliable screening methods. Using such screening methods would have the advantage of allowing the effects of all estrogenic substances having similar effects to be covered, and not only those listed in Annex I to Directive 2008/105/EC. The definition of EQS in Directive 2000/60/EC should be modified to ensure that it may, in the future, also cover trigger values that might be set for assessing the results of effect-based monitoring. ***The determination of the chemical status at national level should not create disparities in the classification among Member States, when the EQS identified for the same substance is***

different.

Amendment 4
Proposal for a directive
Recital 12

Text proposed by the Commission

(12) The evaluation of Union water legislation⁵⁸ (the ‘evaluation’) concluded that the process for identifying and listing pollutants affecting surface and groundwater and setting or revising quality standards for them in the light of new scientific knowledge could be accelerated. If those tasks were to be carried out by the Commission, rather than in the framework of the ordinary legislative procedure as currently provided for in Articles 16 and 17 of Directive 2000/60/EC and Article 10 of Directive 2006/118/EC, the functioning of the surface and groundwater watch-list mechanisms, in particular in terms of timing and sequence of listing, monitoring and assessing results, could be improved, the links between the watch-list mechanism and the reviews of the lists of pollutants could be strengthened, and changes to the lists of pollutants could take account of scientific progress more swiftly. Therefore, and given the need to amend the lists of pollutants and their EQS promptly in the light of new scientific and technical knowledge, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend Annex I to Directive 2008/105/EC with regard to the list of priority substances and corresponding EQS set out in Part A of that Annex and to amend Annex I to Directive 2006/118/EC with regard to the list of groundwater pollutants and quality standards set out in that Annex. In this context, the Commission should take account of the results of the monitoring of substances on the surface and groundwater watch lists. As a consequence, **Articles 16 and 17** of Directive 2000/60/EC and

Amendment

(12) The evaluation of Union water legislation⁵⁸ (the ‘evaluation’) concluded that the process for identifying and listing pollutants affecting surface and groundwater and setting or revising quality standards for them in the light of new scientific knowledge could be accelerated. If those tasks were to be carried out by the Commission, rather than in the framework of the ordinary legislative procedure as currently provided for in Articles 16 and 17 of Directive 2000/60/EC and Article 10 of Directive 2006/118/EC, the functioning of the surface and groundwater watch-list mechanisms, in particular in terms of timing and sequence of listing, monitoring and assessing results, could be improved, the links between the watch-list mechanism and the reviews of the lists of pollutants could be strengthened, and changes to the lists of pollutants could take account of scientific progress more swiftly. Therefore, and given the need to amend the lists of pollutants and their EQS promptly in the light of new scientific and technical knowledge, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to amend Annex I to Directive 2008/105/EC with regard to the list of priority substances and corresponding EQS set out in Part A of that Annex and to amend Annex I to Directive 2006/118/EC with regard to the list of groundwater pollutants and quality standards set out in that Annex. In this context, the Commission should take account of the results of the monitoring of substances on the surface and groundwater watch lists **and also should consider the input from Member States and the**

Annex X to that Directive, as well as Article 10 of Directive 2006/118/EC, should be deleted.

scientific community before submitting proposals for Priority Substances Environmental Quality Standards. As a consequence, *Article 17* of Directive 2000/60/EC and Annex X to that Directive, as well as Article 10 of Directive 2006/118/EC, should be deleted, *while maintaining the need to take measures aiming at the cessation or phasing out of discharges, emissions and losses of priority hazardous substances.*

⁵⁸ Commission Staff Working Document Fitness check of the Water Framework Directive, Groundwater Directive, Environmental Quality Standards Directive and Floods Directive, SWD(2019) 439 final.

⁵⁸ Commission Staff Working Document Fitness check of the Water Framework Directive, Groundwater Directive, Environmental Quality Standards Directive and Floods Directive, SWD(2019) 439 final.

Amendment 5

Proposal for a directive

Recital 21

Text proposed by the Commission

(21) To ensure effective and coherent decision-making and develop synergies with the work carried out in the framework of other Union legislation on chemicals, the European Chemicals Agency ('ECHA'), should be given a permanent and clearly circumscribed role in the prioritisation of substances to be included in the watch lists and in the lists of substances in Annexes I and II to Directive 2008/105/EC and Annexes I and II to Directive 2006/118/EC, and in the derivation of appropriate science-based quality standards. The Committee for Risk Assessment (RAC) and the Committee for Socio-Economic Analysis (SEAC) of ECHA, should facilitate the carrying out of certain tasks conferred on ECHA by providing opinions. ECHA should also ensure better coordination between various pieces of environmental law through increased transparency as regards

Amendment

(21) To ensure effective and coherent decision-making and develop synergies with the work carried out in the framework of other Union legislation on chemicals, the European Chemicals Agency ('ECHA'), should be given a permanent and clearly circumscribed role in the prioritisation of substances to be included in the watch lists and in the lists of substances in Annexes I and II to Directive 2008/105/EC and Annexes I and II to Directive 2006/118/EC, and in the derivation of appropriate science-based quality standards. The Committee for Risk Assessment (RAC) and the Committee for Socio-Economic Analysis (SEAC) of ECHA, should facilitate the carrying out of certain tasks conferred on ECHA by providing opinions. ECHA should also ensure better coordination between various pieces of environmental law through increased transparency as regards

pollutants on a watch list or the development of Union wide or national EQS or thresholds, by making relevant scientific reports publicly available.

pollutants on a watch list or the development of Union wide or national EQS or thresholds, by making relevant scientific reports publicly available. ***The process should be transparent and sufficient time should be given to evaluate scientific information.***

Amendment 6
Proposal for a directive
Recital 31

Text proposed by the Commission

(31) It is necessary to take into account scientific and technical progress in the area of monitoring of the status of water bodies in accordance with the monitoring requirements set out in Annex V to Directive 2000/60/EC. Therefore, Member States should be allowed to use of data and services from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, leveraging the opportunities offered by artificial intelligence, advanced data analysis and processing.

Amendment

(31) It is necessary to take into account ***the state of*** scientific and technical progress ***and the best available methods*** in the area of monitoring of the status of water bodies in accordance with the monitoring requirements set out in Annex V to Directive 2000/60/EC. Therefore, Member States should be allowed to use of data and services from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, leveraging the opportunities offered by ***best available techniques, in line with the principle of technological neutrality, which could include*** artificial intelligence, advanced data analysis and processing ***or other technologies to comply with this regulation. The European Commission is encouraged to increase transparency in the EU modelling tools by using up-to-date information and data.***

Amendment 7
Proposal for a directive
Recital 32

Text proposed by the Commission

(32) Considering the increases in unforeseeable weather events, in particular extreme floods and prolonged droughts, and in significant pollution

Amendment

(32) Considering the increases in unforeseeable weather events, in particular extreme floods and prolonged droughts, and in significant pollution

incidents resulting in or exacerbating transboundary **accidental** pollution, Member States should be required to ensure that immediate information on such incidents is provided to other potentially affected Member States and effectively cooperate with potentially affected Member States to mitigate the effects of the event or incident. It is also necessary to reinforce cooperation between Member States and streamline procedures for transboundary cooperation in case of more structural, i.e. non accidental and longer term transboundary issues which cannot be solved at Member State level, in accordance with Article 12 of Directive 2000/60/EC. In case European assistance is necessary, competent national authorities may send requests for assistance to the Emergency Response Coordination Centre of the Commission, which will coordinate possible offers of assistance and their deployment through the Union Civil Protection Mechanism, in accordance with Article 15 of Decision 1313/2013 of the European Parliament and of the Council⁶⁴.

⁶⁴ Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).

incidents resulting in or exacerbating transboundary pollution, Member States should be required to ensure that immediate information on such incidents is provided to other potentially affected Member States and effectively cooperate with potentially affected Member States to mitigate the effects of the event or incident. It is also necessary to reinforce cooperation between Member States and streamline procedures for transboundary cooperation in case of more structural, i.e. non accidental and longer term transboundary issues which cannot be solved at Member State level, in accordance with Article 12 of Directive 2000/60/EC. In case European assistance is necessary, competent national authorities may send requests for assistance to the Emergency Response Coordination Centre of the Commission, which will coordinate possible offers of assistance and their deployment through the Union Civil Protection Mechanism, in accordance with Article 15 of Decision 1313/2013 of the European Parliament and of the Council⁶⁴.

⁶⁴ Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).

Amendment 8
Proposal for a directive
Recital 34 a (new)

Text proposed by the Commission

Amendment

(34a) Member States should encourage synergies between the relevant directives requirements both for data collection and deployment of digital tools such as remote sensing technologies or earth observation (Copernicus services).

Amendment 9
Proposal for a directive
Recital 34 b (new)

Text proposed by the Commission

Amendment

(34b) The competent authorities should support trainings, skills development programmes and investment in human capital to support the effective implementation of the best technologies and innovative solutions within the framework of the directives. Information shall be accessible in the different national languages to strengthen accessibility to the relevant data across Europe for the relevant local actors and citizens.

Amendment 10
Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c
Directive 2000/60/EC
Article 2 – point 30

Text proposed by the Commission

Amendment

(30a) ‘Priority hazardous substances’ means priority substances which are marked as ‘hazardous’ on the basis that they are recognised in scientific reports, in relevant Union legislation, or in relevant international agreements, as being toxic, persistent and liable to bio-accumulate or as giving rise to an equivalent level of concern, where this concern is relevant to the aquatic environment.

(30a) ‘Priority hazardous substances’ means priority substances which are marked as ‘hazardous’ on the basis that they are recognised in scientific reports, in relevant Union legislation, or in relevant international agreements, as being toxic, persistent, and liable to bio-accumulate or as giving rise to an equivalent level of concern, where this concern is relevant to the aquatic environment. ***Substances falling under hazard classes in the Classification, Labelling and Packaging Regulation are also included, where the concern is relevant to the aquatic environment.***

Amendment 11
Proposal for a directive
Article 1 – paragraph 1 – point 2 – point d
Directive 2000/60/EC

Article 2 – point 35

Text proposed by the Commission

‘Environmental quality standard’ means the concentration of a particular pollutant or group of pollutants in water, sediment or biota not to be exceeded in order to protect human health and the environment or a trigger value for the adverse effect on human health or the environment of such a pollutant or group of pollutants measured using an appropriate effect-based method.’;

Amendment

‘Environmental quality standard’ means the concentration of a particular pollutant or group of pollutants in water, sediment or biota not to be exceeded in order to protect human health and the environment or a trigger value for the adverse effect on human health or the environment of such a pollutant or group of pollutants measured using an appropriate **and scientifically-established** effect-based method.’;

Amendment 12

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2000/60/EC

Article 3

Text proposed by the Commission

4a. In the case of exceptional circumstances of natural origin or force majeure, in particular extreme floods and prolonged droughts, or **significant** pollution incidents, which could affect downstream water bodies situated in other Member States, Member States shall ensure that the competent authorities for downstream water bodies in such Member States, as well as the Commission, are immediately informed and that the necessary cooperation is set up to investigate the causes and address the consequences of the exceptional circumstances or incidents.;

Amendment

4a. In the case of exceptional circumstances of natural origin or force majeure, in particular extreme floods and prolonged droughts, or pollution incidents, which could affect downstream water bodies situated in other Member States, Member States shall ensure that the competent authorities for downstream water bodies in such Member States, as well as the Commission, are immediately informed and that the necessary cooperation is set up to investigate the causes and address the consequences of the exceptional circumstances or incidents. **Member States shall also notify any other Member State that could be adversely affected by pollution occurring in the Member State concerned. This should also be accompanied by dissemination to stakeholders in the catchment area.**

To further improve cooperation and information flow in the international river basin district, all International River Basin Districts should also have a clear

procedure for emergency communication and response in place.;

Amendment 13

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point a

Directive 2000/60/EC

Article 4(1)

Text proposed by the Commission

(iv) Member States shall implement the necessary measures to progressively reduce pollution from priority substances **and river basin specific pollutants**, and to cease or phase out emissions, discharges and losses of priority hazardous substances.;

Amendment

(iv) ***The Commission shall adopt the necessary legislation and*** Member States shall implement the necessary measures to progressively reduce pollution ***discharges, emissions and losses*** from priority substances , and to cease or phase out emissions, discharges and losses of priority hazardous substances ***within an appropriate timeline and, in any case, not later than 20 years after a given priority substance is listed as hazardous in Part A of Annex I to Directive 2008/105/EC. That timeline shall apply without prejudice to the application of stricter timelines in any other applicable Union legislation. Member States shall implement such measures and take the necessary corresponding measures for river basin specific pollutants. These measures should aim primarily to eliminate pollution at source.;***

Amendment 14

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point b

Directive 2000/60/EC

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

'Member States shall take all necessary and duly justified measures to protect vulnerable sites, such as groundwater-dependent Natura 2000 sites, from pollution or drainage.';

Amendment 15
Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive 2000/60/EC
Article 12

Text proposed by the Commission

1. Where a Member State identifies an issue which has an impact on the management of its water but cannot be resolved by that Member State, it shall notify the issue to the Commission and **any** other Member **State** concerned and make recommendations for **the** resolution of it.

Amendment

1. Where a Member State identifies an issue which has an impact on the management of its water but cannot be resolved by that Member State, it shall notify the issue to the Commission and **all** other Member **States** concerned and make recommendations for **effective** resolution of it.

Amendment 16
Proposal for a directive
Article 1 – paragraph 1 – point 11
Directive 2000/60/EC
Article 16

Text proposed by the Commission

(11) **Articles 16 and 17 are** deleted;

Amendment

(11) **Article 17 is** deleted;

Amendment 17
Proposal for a directive
Article 1 – paragraph 1 – point 18 a (new)
Directive 2000/60/EC
Annex VII – Part A – point 7.7.

Text proposed by the Commission

Amendment

(18a) In Annex VII, Part A, Point 7.7. the following point is inserted:

'7.7.a A summary of the measures taken to digitise the water sector;'

Amendment 18
Proposal for a directive
Article 2 – paragraph 1 – point 2

Directive 2006/118/EC
Article 1, paragraph 1

Text proposed by the Commission

1. This Directive establishes specific measures to prevent and control groundwater pollution with the aim of achieving the environmental objectives set out in Article 4(1), point (b), of Directive 2000/60/EC. Those measures include the following:

Amendment 19
Proposal for a directive
Article 2 – paragraph 1 – point 6
Directive 2006/118/EC
Article 6a

Text proposed by the Commission

The watch list shall contain *a maximum of* five substances or groups of substances and shall indicate the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs for the competent authorities. The substances to be included in the watch list shall be selected from amongst those substances for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient. This watch list shall include substances of emerging concern.

Amendment 20
Proposal for a directive
Article 2 – paragraph 1 – point 6

PE740.884v02-00

110/148

RR\1283177EN.docx

Amendment

1. This Directive establishes specific measures to prevent and control groundwater pollution with the aim of achieving the environmental objectives set out in Article 4(1), point (b), of Directive 2000/60/EC. ***The hierarchy of measures to be taken shall prioritise restrictions and other control at source measures.*** Those measures include the following:

Amendment

The watch list shall contain ***at least*** five substances or groups of substances and shall indicate the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs ***or unnecessary administrative burden*** for the competent authorities. The substances to be included in the watch list shall be selected from amongst those substances for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient. This watch list shall include substances of emerging concern. ***In order to minimise the administrative burden in connection with monitoring and reporting and increased digitalisation shall be privileged.***

Text proposed by the Commission

(f) research projects and scientific publications, including information on trends and ***predictions*** based on modelling or other predictive assessments ***and data and*** information ***from*** remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, ***leveraging*** the opportunities ***offered by*** artificial intelligence, advanced data analysis and processing;

Amendment

(f) research ***and innovation*** projects and scientific publications, including ***up-to-date*** information on trends and ***forecasts*** based on modelling or other predictive assessments , ***as well as*** information ***and data collected by*** remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, ***taking advantage of*** the opportunities ***opened by best available techniques which could include*** artificial intelligence ***and*** advanced data analysis and processing, ***taking account of the principle of technological neutrality***;

Amendment 21
Proposal for a directive
Article 2 – paragraph 1 – point 6
Directive 2006/118/EC
Article 6a

Text proposed by the Commission

4. Member States shall make available the results of the monitoring referred to in paragraph 3 of this Article in accordance with Article 8(4) of Directive 2000/60/EC and with the implementing act establishing the watch list as adopted pursuant to paragraph 1. They shall also make available information on the representativeness of the monitoring stations and on the monitoring strategy.

Amendment

4. Member States shall make available the results of the monitoring referred to in paragraph 3 of this Article in accordance with Article 8(4) of Directive 2000/60/EC and with the implementing act establishing the watch list as adopted pursuant to paragraph 1. They shall also make available information on the representativeness of the monitoring stations and on the monitoring strategy. ***In order to minimise the unnecessary administrative burden in connection with monitoring and reporting, and increased digitalisation shall be privileged.***

Amendment 22
Proposal for a directive
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

1. The Commission shall review, for the first time by ... [OP: please insert the date = six years after the date of entry into force of this Directive] and every six years thereafter, the list of pollutants set out in Annex I and the quality standards for those pollutants set out in that Annex, **as well as the list of pollutants and indicators set out in Part B of Annex II.**

Amendment 23
Proposal for a directive
Article 2 – paragraph 1 – point 7
Directive 2006/118/EC
Article 8

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts, in accordance with Article 8a, to amend **Annex I to adapt it to technical and scientific progress by adding or removing groundwater pollutants and quality standards for those pollutants set out in that Annex and to amend Part B** in order to adapt it to technical and scientific progress by adding pollutants or indicators for which Member States have to consider establishing national thresholds.

Amendment 24
Proposal for a directive
Article 2 – paragraph 1 – point 7
Directive 2006/118/EC
Article 8

Text proposed by the Commission

Amendment

1. The Commission shall **submit a proposal for** review **to the Parliament and the Council of the EU**, for the first time by ... [OP: please insert the date = six years after the date of entry into force of this Directive] and every six years thereafter, the list of pollutants set out in Annex I and the quality standards for those pollutants set out in that Annex.

Amendment

2. The Commission is empowered to adopt delegated acts, in accordance with Article 8a, to amend **Part B of Annex II** in order to adapt it to technical and scientific progress by adding pollutants or indicators for which Member States have to consider establishing national thresholds.

3a. By [two years after the entry into force of this Directive], the Commission shall establish EU-wide technical

guidelines and harmonised standards for continuous and precise (online) pollution monitoring systems of water quality measurements.

Amendment 25

Proposal for a directive

Article 2 – paragraph 1 – point 7

Directive 2006/118/EC

Article 8

Text proposed by the Commission

(f) Union research programmes and scientific publications, including information resulting from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices and/or citizen science data, leveraging the opportunities offered by artificial intelligence, advanced data analysis and processing;

Amendment

(f) Union research programmes and scientific publications, including ***up-to-date*** information resulting from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices and/or citizen science data, leveraging the opportunities offered by ***best available techniques which could include*** artificial intelligence, advanced data analysis and processing;

Amendment 26

Proposal for a directive

Article 3 – paragraph 1 – point 3 – point a

Directive 2008/105/EC

Article 5

Text proposed by the Commission

On the basis of the information collected in accordance with Articles 5 and 8 of Directive 2000/60/EC, and other available data, Member States shall establish an inventory, including maps, if available, of emissions, discharges and losses of all priority substances listed in Part A of Annex I to this Directive and all pollutants listed in Part A of Annex II to this Directive for each river basin district or part of a river basin district lying within their territory, including their concentrations in sediment and biota, as appropriate.

Amendment

On the basis of the information collected in accordance with Articles 5 and 8 of Directive 2000/60/EC, and other available data, Member States shall establish an inventory, including maps, if available, of emissions, discharges and losses of all priority substances listed in Part A of Annex I to this Directive and all pollutants listed in Part A of Annex II to this Directive for each river basin district or part of a river basin district lying within their territory, including their concentrations in sediment and biota, as appropriate. ***The inventories of emissions shall be made available, if feasible in a***

digital database, to drinking water and waste water operators directly or indirectly affected by these emissions.

Amendment 27

Proposal for a directive

Article 3 – paragraph 1 – point 5

Directive 2008/105/EC

Article 8 – point 3

Text proposed by the Commission

Amendment

3a. By 12 January 2025, the Commission shall establish technical guidelines regarding methods of analysis for monitoring of per- and polyfluoroalkyl substances under the parameter 'PFAS Total'. By 12 January 2026, the Commission shall amend Annex I to set the quality standards for 'PFAS total'.

Amendment 28

Proposal for a directive

Article 3 – paragraph 1 – point 7

Directive 2008/105/EC

Article 8b

Text proposed by the Commission

Amendment

The watch list shall contain ***a maximum of*** 10 substances or groups of substances at any one time, and shall indicate the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs for the competent authorities. The substances to be included in the watch list shall be selected from amongst the substances for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient. The watch list shall include substances of emerging concern.

The watch list shall contain ***at least*** 10 substances or groups of substances at any one time, and shall indicate the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs ***or unnecessary bureaucracy*** for the competent authorities. The substances to be included in the watch list shall be selected from amongst the substances for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient. The watch list shall include substances of emerging concern.

Amendment 29
Proposal for a directive
Article 3 – paragraph 1 – point 7
Directive 2008/105/EC
Article 8b

Text proposed by the Commission

(e) research projects and scientific publications, including information on trends and predictions based on modelling or other predictive assessments and data and information from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, leveraging the opportunities offered by artificial intelligence, advanced data analysis and processing.

Amendment

(e) research **and innovation** projects and scientific publications, including **up-to-date** information on trends and predictions based on modelling or other predictive assessments and data and information from remote sensing technologies, earth observation (Copernicus services), in-situ sensors and devices, or citizen science data, leveraging the opportunities offered by **best available techniques which could include** artificial intelligence, advanced data analysis and processing **taking account of the principle of technological neutrality**.

PROCEDURE – COMMITTEE ASKED FOR OPINION

| | |
|---|---|
| Title | Amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy |
| References | COM(2022)0540 – C9-0361/2022 – 2022/0344(COD) |
| Committee responsible Date announced in plenary | ENVI 19.1.2023 |
| Opinion by Date announced in plenary | ITRE 19.1.2023 |
| Rapporteur for the opinion Date appointed | Lina Gálvez Muñoz 25.4.2023 |
| Date adopted | 12.6.2023 |
| Result of final vote | +: 60 –: 0 0: 2 |
| Members present for the final vote | François-Xavier Bellamy, Hildegard Bentele, Tom Berendsen, Marc Botenga, Jerzy Buzek, Maria da Graça Carvalho, Ignazio Corrao, Beatrice Covassi, Ciarán Cuffe, Nicola Danti, Marie Dauchy, Christian Ehler, Claudia Gamon, Jens Geier, Bart Groothuis, Christophe Grudler, Henrike Hahn, Ivo Hristov, Ivars Ijabs, Seán Kelly, Izabela-Helena Kloc, Zdzisław Krasnodębski, Andrius Kubilius, Miapetra Kumpula-Natri, Eva Maydell, Georg Mayer, Marina Mesure, Dan Nica, Angelika Niebler, Johan Nissinen, Mauri Pekkarinen, Mikuláš Peksa, Tsvetelina Penkova, Morten Petersen, Clara Ponsatí Obiols, Manuela Ripa, Sara Skyttedal, Maria Spyraiki, Beata Szydło, Grzegorz Tobiszowski, Evžen Tošenovský, Henna Virkkunen, Pernille Weiss |
| Substitutes present for the final vote | Alex Agius Saliba, Andrus Ansip, Marek Paweł Balt, Damien Carême, Matthias Ecke, Elena Lizzi, Dace Melbārde, Marcos Ros Sempere, Jordi Solé, Marion Walsmann |
| Substitutes under Rule 209(7) present for the final vote | Asim Ademov, Rosanna Conte, Estrella Durá Ferrandis, Valter Flego, Martin Hojsik, Andrey Kovatchev, Andrey Novakov, Jan-Christoph Oetjen, Tom Vandenkendelaere |

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 60 | + |
|-----------|--|
| ECR | Izabela-Helena Kloc, Zdzisław Krasnodębski, Johan Nissinen, Beata Szydło, Grzegorz Tobiszowski, Evžen Tošenovský |
| ID | Rosanna Conte, Marie Dauchy, Elena Lizzi |
| NI | Clara Ponsatí Obiols |
| PPE | Asim Ademov, François-Xavier Bellamy, Hildegard Bentele, Tom Berendsen, Jerzy Buzek, Maria da Graça Carvalho, Christian Ehler, Seán Kelly, Andrey Kovatchev, Andrius Kubilius, Eva Maydell, Dace Melbārde, Angelika Niebler, Andrey Novakov, Sara Skyttedal, Maria Spyrali, Tom Vandenkendelaere, Henna Virkkunen, Marion Walsmann, Pernille Weiss |
| Renew | Andrus Ansip, Nicola Danti, Valter Flego, Claudia Gamon, Bart Groothuis, Christophe Grudler, Martin Hojsík, Ivars Ijabs, Mauri Pekkarinen, Morten Petersen |
| S&D | Alex Agius Saliba, Marek Paweł Balt, Beatrice Covassi, Estrella Durá Ferrandis, Matthias Ecke, Jens Geier, Ivo Hristov, Miapetra Kumpula-Natri, Dan Nica, Tsvetelina Penkova, Marcos Ros Sempere |
| The Left | Marc Botenga, Marina Measure |
| Verts/ALE | Damien Carême, Ignazio Corrao, Ciarán Cuffe, Henrike Hahn, Mikuláš Peksa, Manuela Ripa, Jordi Solé |

| 0 | - |
|---|---|
| | |

| 2 | 0 |
|-------|----------------------|
| ID | Georg Mayer |
| Renew | Jan-Christoph Oetjen |

Key to symbols:

+ : in favour

- : against

0 : abstention

25.5.2023

OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy
(COM(2022)0540 – C9-0361/2022 – 2022/0344(COD))

Rapporteur for opinion: Martin Häusling

SHORT JUSTIFICATION

The rapporteur welcomes the proposed revision of the three water related pieces of legislation and suggests some targeted and limited improvements.

The overall slow progress in achieving the objectives of the Water Framework Directive can be attributed to a lack of implementation, an insufficient scope, and insufficient or inadequate restoration measures ensuring hydrological and ecological connectivity¹.

Member States and the Commission should see to it that the lack of implementation is overcome.

In line with the 2019 fitness check, lists of pollutants affecting surface and groundwater have to be updated, and the way of tackling them harmonised. Obligations for Member States should be swiftly aligned with latest science concerning contaminants of emerging concern. The monitoring of chemical mixtures should be improved. More generally, access to and transparency of data need to be ensured.

In the summer of 2022, the extreme impact of climate change on the availability of water became very apparent, and the scientific consensus tells us that this is just the beginning. Farmers and food production are amongst the first victims of climate change.

The environmental disaster unfolding, also in summer 2022, in the Oder river basin has shown the need to strengthen international cooperation and ensure the full and speedy cooperation of all Member States concerned.

Antimicrobial resistance has become a major threat to public health, and the rapporteur

¹https://www.igb-berlin.de/sites/default/files/media-files/download-files/IGB_Policy_Brief_WFD_2019.pdf

therefore very much agrees with the proposal to include antimicrobial resistance genes in the surface and groundwater watch lists, and draws the attention to water discharged by slaughter houses, which has shown to contain antimicrobial resistance genes².

Certain agricultural practices have been identified as an obstacle to achieving good status in EU water bodies, leading to nitrate and pesticide pollution in groundwater³. Member States should therefore ensure that the relevant Ground Water Quality Standards are fully respected.

Dealing with drought and therefore ensuring good quantitative groundwater status is ever more important. Heightened attention to abstraction practices is warranted, as water abstraction for agriculture has become a major pressure causing failure of good quantitative status of groundwater bodies⁴. Member States have to ensure an efficient and sustainable water use, including in agriculture, and controls over the abstraction of fresh surface water and groundwater may not exclude agricultural use.

Agriculture is both contributing to and victim of degrading qualitative and quantitative status of surface and groundwater. It is high time to reverse the trend.

AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) Chemical pollution of surface and groundwater poses a threat to the aquatic environment, with effects such as acute and chronic toxicity in aquatic organisms, accumulation of pollutants in the ecosystem and loss of habitats and biodiversity, as well as to human health. Setting environmental quality standards **helps to implement** the zero pollution ambition **for** a toxic-free environment.

Amendment

(1) Chemical pollution of surface and groundwater poses a threat to the aquatic environment, with effects such as acute and chronic toxicity in aquatic organisms, accumulation of pollutants in the ecosystem and loss of habitats and biodiversity, **to forestry and agriculture**, as well as to human health. Setting environmental quality standards **contributes to implementing** the zero pollution ambition **towards** a toxic-free

²<https://www.greenpeace.de/publikationen/Antibiotikaresistente%20Keime%20in%20SchlachthofAbw%C3%A4ssern.pdf>

³<https://www.eea.europa.eu/themes/water/european-waters/water-quality-and-water-assessment/water-assessments>

⁴<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021DC0970>

environment, *helping to protect both the natural environment and human health.*

Amendment 2

Proposal for a directive Recital 1 a (new)

Text proposed by the Commission

Amendment

(1 a) Many territories in the Union are subject to large and increasing water constraints. The large and persistent droughts of recent years, especially in the Mediterranean regions, are putting agricultural production at risk and causing a serious decline in surface and groundwater reserves ^{1a}.

1a

<https://www.oecd.org/agriculture/topics/water-and-agriculture/>

Amendment 3

Proposal for a directive Recital 1 b (new)

Text proposed by the Commission

Amendment

(1 b) Given statistics from the European Environment Agency (EEA) show approximately 28% of all water consumed is used in agriculture, future revisions of these Directives should also take into account their impact on the availability of water and therefore food production, as well as quality of drinking water and environmental flow.

Amendment 4

Proposal for a directive Recital 1 c (new)

Text proposed by the Commission

Amendment

(1 c) Water is a public good for the benefit of all which, as an essential natural resource, irreplaceable and indispensable to life, must be carefully considered in its social, economic and environmental dimensions. Climate change, including increased frequency of natural disasters and extreme weather events, and the degradation of biodiversity, both negatively affect water quality and quantity, leading to pressure on sectors dependent on the availability of water, particularly agriculture.

Amendment 5

Proposal for a directive Recital 1 d (new)

Text proposed by the Commission

Amendment

(1 d) While in its 2018 Report on “European waters - assessment of status and pressures”, the European Environment Agency (EEA) identified certain agricultural practices as obstacles to achieving good chemical status of groundwater in the Union, leading to nitrate and pesticide pollution, a steady decrease in use of mineral fertilisers and in nutrient surpluses has been observed in the EU over the last decades ^{1a}. Other significant sources are discharges that are not connected to a sewerage system, contaminated sites or abandoned industrial sites.

1a

<https://www.eea.europa.eu/publications/state-of-water>

Amendment 6

Proposal for a directive
Recital 1 e (new)

Text proposed by the Commission

Amendment

(1 e) Good status of water bodies and efficient management of water resources represents a priority for agriculture, since farmers rely on water to conduct their activity, and as such, have a vested interest in the sustainable use of this resource.

Amendment 7

Proposal for a directive
Recital 1 f (new)

Text proposed by the Commission

Amendment

(1 f) According to European Commission 2021 Report on the implementation of the Water Framework Directive (2000/60/EC), the Environmental Quality Standards Directive (2008/105/EC amended by Directive 2013/39/EU) and the Floods Directive (2007/60/EC), water efficiency continues to be a high priority for Member States, while considerable progress has been observed on basic measures addressing water abstraction, which remains a major pressure against the achievement of good quantitative status of groundwater bodies^{1a}. While agriculture is one of the major users of groundwater abstraction for the purpose of irrigation, food production serves a fundamental societal purpose, and thus should be prioritised in measures to promote water efficiency.

^{1a} <https://eur-lex.europa.eu/legal-content/EN/TXT%20/PDF/?uri=CELEX:52021DC0970>

Amendment 8

Proposal for a directive

Recital 1 g (new)

Text proposed by the Commission

Amendment

(1 g) In order to facilitate a transition to a more sustainable and productive agricultural sector that is resistant to water constraints, incentives should be put in place for farmers to improve water management and modernisation of irrigation systems and techniques.

Amendment 9

Proposal for a directive

Recital 1 h (new)

Text proposed by the Commission

Amendment

(1 h) When used imprudently, pesticide use can severely affect water quality and quantity available for agricultural use, leading to negative impacts on both aquatic and terrestrial biodiversity. It is therefore appropriate to monitor the impact and ecotoxicological fate of pesticides and their metabolites in water bodies.

Amendment 10

Proposal for a directive

Recital 1 i (new)

Text proposed by the Commission

Amendment

(1 i) It is essential to consider the efforts achieved so far in sectors such as agriculture, where it has already been possible to reduce phytosanitary contamination by 14 % compared to 2015-2017 and the percentage reaches 26 % if

we look at the most harmful pollutants. With all this, the figures show a continuous reduction in the use and risk of chemicals, with 2020 being the second consecutive year in which there has been a significant reduction in the use of pesticides, especially the most dangerous^{1a}.

1a

https://food.ec.europa.eu/plants/pesticides/sustainable-use-pesticides/farm-fork-targets-progress/eu-trends_en

Amendment 11

Proposal for a directive Recital 1 j (new)

Text proposed by the Commission

Amendment

(1 j) Chemical pollution of surface and groundwater also poses a threat to agriculture by limiting the availability of water suitable for crop irrigation, and further aggravating water scarcity. The Union and Member States should therefore increase support for research and innovation to rapidly deploy solutions to tackle surface and groundwater scarcity and pollution, including digitalisation, precision agriculture, optimised irrigation and modernisation of irrigation and a circular use of resources, for an improved climate-resilient water management and a more targeted application of pesticides and fertilisers for crops, less polluting and safer alternatives to agricultural inputs, more resistant and nutrient-efficient varieties and increased usage of treated wastewater for agricultural irrigation. This should contribute to achieving a sustainable and resilient EU food system while reducing diffuse pollution from agriculture and the need for agricultural abstraction.

Amendment 12

Proposal for a directive Recital 2 a (new)

Text proposed by the Commission

Amendment

(2 a) In seeking to achieve a high level of environmental protection and in implementing the Zero Pollution Action Plan, the Union must take account of the diversity of situations in the different regions of the EU, the impact on food security, food production and food affordability, as well as healthy and sustainable diets.

Amendment 13

Proposal for a directive Recital 3 a (new)

Text proposed by the Commission

Amendment

(3 a) The objectives of achieving “good status of water bodies” and ensuring water availability are cross-cutting and are often not pursued in a sufficiently coherent way. Good water management should be mainstreamed in all EU policies concerning water-using sectors.

Amendment 14

Proposal for a directive Recital 3 b (new)

Text proposed by the Commission

Amendment

(3 b) The new Common Agricultural Policy 2023-2027 already increased the ambition and introduced mandatory respect of environmental and climate objectives, as well as giving the possibility to introduce and promote eco-schemes,

including, for example, improving the Union's water management.

Amendment 15

Proposal for a directive Recital 3 c (new)

Text proposed by the Commission

Amendment

(3 c) The fitness check pointed out that a better integration of water objectives in agricultural policy was necessary. The new CAP introduced measures making water management more sustainable. For an enhanced coherence between agriculture and water policy, Member States should make full use of the opportunities available in the new CAP and integrate water issues fully in their strategic plans, including use of the AKIS, and stimulate advisory services to promote best practices concerning water management.

Amendment 16

Proposal for a directive Recital 7 a (new)

Text proposed by the Commission

Amendment

(7 a) The proper transposition of this Directive depends very much on the preventive measures put in place by Member States and the Union. Member States have not only a duty to measure, to the best of their ability, the chemical status of ground and surface waters, but also to take all reasonable steps to prevent water pollution.

Amendment 17

Proposal for a directive
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) According to applicable Union law, Member States are obliged to identify affected and at-risk waters, designate nitrate-vulnerable zones, develop action programmes and implement relevant measures. In this regard, there is still a need for an improvement in the harmonisation of control measures and water quality measurement systems between Member States, so as to allow for harmonised standards across the Union that make comparability between Member States possible, thus avoiding competition problems in the European agricultural sector, resulting in disturbances to the internal market.

Amendment 18

Proposal for a directive
Recital 10

Text proposed by the Commission

Amendment

(10) Concern has been expressed about the risk of antimicrobial resistance developing from the presence of antimicrobial resistant microorganisms and antimicrobial resistance genes in the aquatic environment, but little monitoring has taken place. Relevant antimicrobial resistance genes should also be included in the surface and ground water watch lists and monitored as soon as suitable monitoring methods have been developed. This is in line with the 'European One Health Action Plan against Antimicrobial Resistance', adopted by the Commission in June 2017, and with the Pharmaceutical Strategy for Europe, which also addresses this concern.

(10) Concern has been expressed about the risk of antimicrobial resistance developing from the presence of antimicrobial resistant microorganisms and antimicrobial resistance genes in the aquatic environment, **including the risk to human health due to the use in agriculture of antibiotics supposed to be reserved for human use**, but little **advancement of** monitoring has taken place. **This is due to a lack of standardized methods, including a lack of benchmarking and threshold data to inform evolutionary, epidemiological, and other risk modelling efforts^{1a}. The presence of AMR microorganisms and genes is a consequence of antibiotics use in human and veterinary medicine, while it must be noted that in the period of**

2011-2018 a reduction of antibiotic burden in agriculture by 35% was achieved. However, to improve the knowledge base on their presence and origin, relevant antimicrobial resistance genes should also be included in the surface and ground water watch lists and monitored as soon as suitable monitoring methods have been developed. This is in line with the 'European One Health Action Plan against Antimicrobial Resistance', adopted by the Commission in June 2017, and with the Pharmaceutical Strategy for Europe, which also addresses this concern. **Member States should strive to identify key hotspots for evolution and dissemination of antimicrobial resistance.**

^{1a} ECDC/EFSA/EMA second joint report on the integrated analysis of the consumption of antimicrobial agents and occurrence of antimicrobial resistance in bacteria from humans and food-producing animals, 2017
<https://www.ecdc.europa.eu/en/publications-data/ecdc-efsa-ema-second-joint-report-integrated-analysis-consumption-antimicrobial>

Amendment 19

Proposal for a directive Recital 10 a (new)

Text proposed by the Commission

Amendment

(10 a) Substances such as microplastics pose a clear risk to public health and the environment, but also to basic activities such as the development of agriculture. The presence of these and other particles can have implications not only on the water received by livestock and crops, but also on soil fertility, thereby compromising the health and good development of present and future

crops^{1a}.

1a

<https://www.sciencedirect.com/science/article/pii/S2352186422000724>

Amendment 20

Proposal for a directive Recital 10 b (new)

Text proposed by the Commission

Amendment

(10 b) Commission Implementing Decision (EU) 2020/1729 repealing Implementing Decision 2013/652/EU1a sets the framework to obtain comparable and reliable data on antimicrobial resistance in the European Union, including by monitoring slaughterhouse wastewater as a potential vehicle of antibiotic-resistant bacteria and therefore a possible environmental contamination route. Antibiotic-resistant bacteria have been found in water discharged by slaughterhouses.

Amendment 21

Proposal for a directive Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) Overall, the conclusions of the fitness check indicate that the Directives are broadly fit for purpose, with scope for improvement, including accelerating the proper implementation of their objectives, which might be achieved through more EU funding. The assessment indicates that the Directives have so far generally led to a higher level of protection of water bodies and flood risk management.

Amendment 22

Proposal for a directive Recital 13 a (new)

Text proposed by the Commission

Amendment

(13 a) In line with the subsidiarity principle, adequate flexibility should be provided when identifying specific measures on the national and regional scales.

Amendment 23

Proposal for a directive Recital 13 b (new)

Text proposed by the Commission

Amendment

(13 b) More than half of the water bodies in the EU do not comply with the threshold implemented for water quality, and there is a lack of data, which denotes the difficulties of the Member States' inspection and monitoring services in achieving the objectives set by the Directive^{1a}. It is therefore necessary to provide sufficient financial and human resources to the Member States' inspection and monitoring services in order to achieve the objectives laid down by the Directive.

^{1a} EEA, 2018

<https://www.eea.europa.eu/publications/state-of-water>

Amendment 24

Proposal for a directive Recital 13 c (new)

Text proposed by the Commission

Amendment

(13 c) Any decision in the selection, review of substances and EQS setting must be based on risk assessment and follow a proportionate, transparent and science-based approach, considering socio-economic consequences including food security and taking into consideration recommendations from the European Parliament, Member States and relevant stakeholders.

Amendment 25

Proposal for a directive Recital 13 d (new)

Text proposed by the Commission

Amendment

(13 d) While Directive 2000/60/EC set the rules to advance on water quantity and quality, the fitness check showed that the slow progress in achieving the objectives of this Directive can amongst other things be attributed to a lack of sufficient financial resources as well as regulatory and ecological complexity, including possible time lags for groundwater to respond to measures and with respect to reporting timelines. Measures that improve the status of water bodies through restoration of rivers and ecosystem services provide financial benefits that outweigh the costs and could reduce necessary expenditure for Member States. Furthermore, the evaluation points to a lack of implementation, an insufficient scope, and insufficient or inadequate restoration measures ensuring hydrological and ecological connectivity^{1a}.

^{1a} <https://www.igb-berlin.de/sites/default/files/media-files/download->

Amendment 26

Proposal for a directive

Recital 17

Text proposed by the Commission

(17) The review of the list of priority substances in Part A of Annex I to Directive 2008/105/EC has concluded that several priority substances are no longer of Union wide concern and should therefore no longer be included in Part A of Annex I to that Directive. Those substances should therefore be considered as river basin specific pollutants and included in Part C of Annex II to Directive 2008/105/EC together with their corresponding EQS. Considering that those pollutants are no longer considered to be of Union wide concern, the EQS need only be applied where those pollutants could still be of national or regional or local concern.

Amendment

(17) The review of the list of priority substances in Part A of Annex I to Directive 2008/105/EC has concluded that several priority substances are no longer of Union wide concern and should therefore no longer be included in Part A of Annex I to that Directive. Those substances should therefore be considered as river basin specific pollutants and included in Part C of Annex II to Directive 2008/105/EC together with their corresponding EQS. Considering that those pollutants are no longer considered to be of Union wide concern, the EQS need only be applied where those pollutants could still be of national or regional or local concern ***in that they present significant risks.***

Amendment 27

Proposal for a directive

Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) In order to ensure consistency and clarity of the rules within the Union, it is necessary that this revision is in line and consistent with other rules linked to the same topic and which are currently under review or negotiation within the co-legislators.

Amendment 28

Proposal for a directive
Recital 32

Text proposed by the Commission

(32) Considering the increases in unforeseeable weather events, in particular extreme floods and prolonged droughts, and in significant pollution **incidents resulting** in or exacerbating transboundary accidental pollution, Member States should be required to ensure that immediate information on such incidents is provided to other potentially affected Member States and effectively cooperate with potentially affected Member States to mitigate the effects of the event or incident. It is also necessary to reinforce cooperation between Member States and streamline procedures for transboundary cooperation in case of more structural, i.e. non accidental and longer term transboundary issues which cannot be solved at Member State level, in accordance with Article 12 of Directive 2000/60/EC. In case European assistance is necessary, competent national authorities may send requests for assistance to the Emergency Response Coordination Centre of the Commission, which will coordinate possible offers of assistance and their deployment through the Union Civil Protection Mechanism, in accordance with Article 15 of Decision 1313/2013 of the European Parliament and of the Council⁶⁴.

⁶⁴ Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347,

Amendment

(32) Considering the increases in unforeseeable weather events, in particular extreme floods and prolonged droughts, **which are the main drivers of crop failure**, and in significant pollution **incidents resulting** in or exacerbating transboundary accidental pollution, **as well as fires**, Member States should be required to ensure that immediate information on such incidents is provided to other potentially affected Member States and effectively cooperate with potentially affected Member States to mitigate the effects of the event or incident. **In this regard, it is essential to take into account in this revision that there are European regions that are particularly exposed to this type of extreme weather phenomena, as well as to water pollution, due to their particular geographical and climatological characteristics.** It is also necessary to reinforce cooperation between Member States and streamline procedures for transboundary cooperation in case of more structural, i.e. non accidental and longer term transboundary issues which cannot be solved at Member State level, in accordance with Article 12 of Directive 2000/60/EC. In case European assistance is necessary, competent national authorities may send requests for assistance to the Emergency Response Coordination Centre of the Commission, which will coordinate possible offers of assistance and their deployment through the Union Civil Protection Mechanism, in accordance with Article 15 of Decision 1313/2013 of the European Parliament and of the Council.

⁶⁴ Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347,

Amendment 29

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point d

Directive 2000/60/EC

Article 2 – point 35

Text proposed by the Commission

‘Environmental quality standard’ means the concentration of a particular pollutant or group of pollutants in water, sediment or biota not to be exceeded in order to protect human health and the environment or a trigger value for the adverse effect on human health or the environment of such a pollutant or group of pollutants measured using an appropriate effect-based method.’;

Amendment

‘Environmental quality standard’ means the concentration of a particular pollutant or group of pollutants in water, sediment or biota not to be exceeded in order to protect human health and the environment or a trigger value for the adverse effect on human health or the environment of such a pollutant or group of pollutants measured using an appropriate effect-based method ***in combination with state-of-the-art chemical analysis and according to the best available scientific knowledge***’ ;

Amendment 30

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2000/60/EC

Article 3 – paragraph 4a

Text proposed by the Commission

4a. In the case of exceptional circumstances ***of natural origin or force majeure***, in particular ***extreme*** floods and ***prolonged*** droughts, or ***significant*** pollution incidents, which could affect downstream water bodies situated in other Member States, Member States shall ensure that the competent authorities for downstream water bodies in such Member States, as well as the Commission, are immediately informed and that the necessary cooperation is set up to investigate the causes and address the

Amendment

4a. In the case of exceptional circumstances, in particular floods, ***fires*** and droughts, or pollution incidents, which could affect downstream water bodies situated in other Member States, Member States shall ensure that the competent authorities for downstream water bodies in such Member States, as well as the Commission, are immediately informed and that the necessary cooperation is set up to investigate the causes and address the consequences of the exceptional circumstances or incidents.

consequences of the exceptional circumstances or incidents.

Amendment 31

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 2000/60/EC

Article 11 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(7 a) in Article 11(3), point (c) is replaced by the following:

(c) "measures to promote an efficient and sustainable water use, including in agriculture, in order to avoid compromising the achievement of the objectives specified in Article 4;"

Amendment 32

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2000/60/EC

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. Where a Member State identifies an issue which has an impact on the management of its water but cannot be resolved by that Member State, it shall notify the issue to the Commission and any other Member State concerned and make recommendations for the resolution of it.

1. Where a Member State identifies an issue which has an impact on the management of its water but cannot be resolved by that **Member State or might affect another** Member State, it shall notify the issue to the Commission and any other Member State concerned and make recommendations for the resolution of it.

Amendment 33

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2000/60/EC

Article 12 – paragraph 1a (new)

Text proposed by the Commission

Amendment

1 a. The Commission shall respond to any notifications from Member States within a period of six months. Where the issue concerns failure to meet good chemical status, the Commission shall act in accordance with Article 7a of Directive 2008/105/EC.

Amendment 34

Proposal for a directive

Article 1 – paragraph 1 – point 11

Directive 2000/60/EC

Articles 16 and 17

Text proposed by the Commission

Amendment

(11) Articles 16 and 17 are deleted; ***deleted***

Justification

Articles 16 and 17 include valuable provisions for a risk assessment and management that democratically involves all stakeholders

Amendment 35

Proposal for a directive

Article 2 – paragraph 1 – point 4 – point c

Directive 2006/118/EC

Article 3 – paragraph 5 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that the residents of the concerned river basin district or of the part of the international river basin district falling within the territory of a Member State are adequately and timely informed.

Amendment 36

Proposal for a directive

Article 2 – paragraph 1 – point 4 – point d

Directive 2006/118/EC

Article 3 – paragraph 6 – subparagraph 1

Text proposed by the Commission

‘Member States shall amend the list of threshold values applied in their territories whenever new information on pollutants, groups of pollutants, or indicators of pollution indicates that a threshold value needs to be set for an additional substance, that an existing threshold value needs to be modified, or that a threshold value previously removed from the list needs to be re-inserted. If relevant threshold values are established or amended at Union level, Member States shall adapt the list of threshold values applied in their territories to those values.’;

Amendment

‘Member States shall amend the list of threshold values applied in their territories whenever **scientific data in** new information on pollutants, groups of pollutants, or indicators of pollution indicates that, **as reported by on-the-ground monitoring at national level**, a threshold value needs to be set for an additional substance, that an existing threshold value needs to be modified, or that a threshold value previously removed from the list needs to be re-inserted. If relevant threshold values are established or amended at Union level, Member States shall adapt the list of threshold values applied in their territories to those values.’;

(Article 2, paragraph 1, point 4, Directive 2006/118/EC)

Justification

This emphasises the importance of scientific data and the real situation at the national level

Amendment 37

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6 a (new)– paragraph 1 – subparagraph 2

Text proposed by the Commission

The watch list shall contain a maximum of five substances or groups of substances and shall indicate the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs for the competent authorities. The substances

Amendment

The watch list shall contain a maximum of five substances or groups of substances and shall indicate the monitoring matrices and the possible methods of analysis for each substance. Those monitoring matrices and methods shall not entail excessive costs **nor excessive administrative burden** for

to be included in the watch list shall be selected from amongst those substances for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient. This watch list shall include substances of emerging concern.

the competent authorities. The substances to be included in the watch list shall be selected from amongst those substances for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient. This watch list shall include substances of emerging concern.

Amendment 38

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6 a (new) – paragraph 1 – subparagraph 3

Text proposed by the Commission

As soon as suitable monitoring methods for micro-plastics and selected antimicrobial resistance genes have been identified, those substances shall be included in the watch list.

Amendment

As soon as suitable monitoring methods for micro-plastics and selected antimicrobial resistance genes have been identified, those substances shall be included in the watch list. ***The Commission shall consider whether including non-relevant metabolites of pesticides (NrMs) in the watch list is necessary to improve availability of data on their presence with regard to the scope of this directive.***

((This amendment corresponds to an amendment to Directive 2008/105/EC Annex I – table – row 7.))

Justification

The Drinking Water Directive (EU) 2020/2184 does not set a limit value for non-relevant metabolites of pesticides (NrMs). As quality standards for drinking water should have the relatively highest level in relation to other water quality standards, it is not apparent why stricter standards should apply to other types of water. Instead, the Commission should consider adding NrMs to the watch lists to be established under Article 2(6) and Article 3(7) of the proposal.

Amendment 39

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC
Article 6a (new) - paragraph 1 – subparagraph 4

Text proposed by the Commission

ECHA shall prepare scientific reports to assist the Commission in selecting the substances for the watch list, taking into account the following information:

Amendment

ECHA shall prepare scientific reports to assist the Commission in selecting the substances **and indicator values** for the watch list, taking into account the **best available scientific knowledge and the** following information:

Amendment 40

Proposal for a directive

Article 2 – paragraph 1 – point 6

Directive 2006/118/EC

Article 6a – paragraph 3 – subparagraph 3

Text proposed by the Commission

In selecting the representative monitoring stations, the monitoring frequency and the seasonal timing for each substance or group of substances, Member States shall take into account the use patterns and possible occurrence of the substance or group of substances. The frequency of monitoring shall be no less than once per year.

Amendment

In selecting the representative monitoring stations, the monitoring frequency and the seasonal timing for each substance or group of substances, Member States shall take into account the use patterns and possible occurrence of the substance or group of substances. The frequency of monitoring shall be no less than once per year, **be based on the most updated data available, and set at a level that appropriately takes into account use patterns, possible occurrence of the substance or group of substances as well as climatic or seasonal variabilities.**

Amendment 41

Proposal for a directive

Article 3 – paragraph 1 – point 7

Directive 2008/105/EC

Article 8 b (new)– paragraph 1 – subparagraph 3

Text proposed by the Commission

As soon as suitable monitoring methods for micro-plastics and selected antimicrobial

Amendment

As soon as suitable monitoring methods, **following public discussion and**

resistance genes have been identified, those substances shall be included in the watch list.

involvement of relevant stakeholders, for micro-plastics and selected antimicrobial resistance genes have been identified, those substances shall be included in the watch list. ***The Commission shall consider whether including non-relevant metabolites of pesticides (NrMs) in the watch list is necessary to improve availability of data on their presence with regard to the scope of this directive.***

((This amendment corresponds to an amendment to Directive 2008/105/EC Annex I – table – row 7.))

Justification

The Drinking Water Directive (EU) 2020/2184 does not set a limit value for non-relevant metabolites of pesticides (NrMs). As quality standards for drinking water should have the relatively highest level in relation to other water quality standards, it is not apparent why stricter standards should apply to other types of water. Instead, the Commission should consider adding NrMs to the watch lists to be established under Article 2(6) and Article 3(7) of the proposal.

Amendment 42

Proposal for a regulation

Annex III

Directive 2006/118/EC

Annex I – table – row 2 – footnote 12a (new)

| <i>Amendment</i> | | | | | |
|------------------|---|------------------------|---------------------------|--------------------------|--|
| (1) | (2) | (3) | (4) | (5) | (6) |
| [En try] N° | Name of substance | Category of substances | CAS number ⁽¹⁾ | EU number ⁽²⁾ | Quality Standard ⁽³⁾ [µg/l unless otherwise indicated] |
| 1 | Nitrates | Nutrients | not applicable | not applicable | 50 mg/l |
| 2 | Active substances in pesticides, including their relevant metabolites, degradation and reaction products ⁽⁴⁾ | Pesticides | not applicable | not applicable | 0,1 (individual) ^{(12a(new))} 0,5 (total) ⁽⁵⁾ ^{(12a(new))} |
| 3 | Per- and poly-fluorinated | Industrial substances | See table note 6 | See table note 6 | 0,0044 ⁽⁷⁾ |

| | | | | | |
|---|---|-----------------|----------------|----------------|------|
| | alkyl substances (PFAS) - sum of 24 ⁽⁶⁾ | | | | |
| 4 | Carbamazepine | Pharmaceuticals | 298-46-4 | not applicable | 0,25 |
| 5 | Sulfamethoxazole | Pharmaceuticals | 723-46-6 | not applicable | 0,01 |
| 6 | Pharmaceutical active substances – total ⁽⁸⁾ | Pharmaceuticals | not applicable | not applicable | 0,25 |

Footnote (12a) For freshwater used for the abstraction and preparation of drinking water.

Justification

The individual and total limit value for active substances is derived from quality standards for drinking water under Directive (EU) 2020/2184. As quality standards for drinking water should have the relatively highest level in relation to other water quality standards, it is not apparent why the same standard should apply to all water bodies. Therefore and to comply with the risk management approach defined by Article 8 (4) of the Drinking Water Directive, the limit value should only apply to water bodies used for the abstraction and preparation of drinking water.

Amendment 43

Proposal for a regulation

Annex III

Directive 2006/118/EC

Annex I – table – row 7

| <i>Text proposed by the Commission</i> | | | | | |
|--|---|------------------------|---------------------------|--------------------------|---|
| (1) | (2) | (3) | (4) | (5) | (6) |
| [Entry] N° | Name of substance | Category of substances | CAS number ⁽¹⁾ | EU number ⁽²⁾ | Quality Standard ⁽³⁾ [µg/l unless otherwise indicated] |
| 1 | Nitrates | Nutrients | not applicable | not applicable | 50 mg/l |
| 2 | Active substances in pesticides, including their relevant metabolites, degradation and reaction products ⁽⁴⁾ | Pesticides | not applicable | not applicable | 0,1 (individual) |
| | | | | | 0,5 (total) ⁽⁵⁾ |
| 3 | Per- and poly-fluorinated | Industrial substances | See table note 6 | See table note 6 | 0,0044 ⁽⁷⁾ |

| | | | | | |
|---|---|-------------------|-----------------------|-----------------------|--|
| | alkyl substances (PFAS) - sum of 24 ⁽⁶⁾ | | | | |
| 4 | Carbamazepine | Pharmaceuticals | 298-46-4 | not applicable | 0,25 |
| 5 | Sulfamethoxazole | Pharmaceuticals | 723-46-6 | not applicable | 0,01 |
| 6 | Pharmaceutical active substances – total ⁽⁸⁾ | Pharmaceuticals | not applicable | not applicable | 0,25 |
| 7 | <i>Non-relevant metabolites of pesticides (nrMs)</i> | <i>Pesticides</i> | <i>not applicable</i> | <i>not applicable</i> | <i>0,1 ⁽⁹⁾ or 1 ⁽¹⁰⁾ or 2,5 or 5 ⁽¹¹⁾ (individual)</i> |
| | | | | | <i>0,5 ⁽⁹⁾ or 5 ⁽¹⁰⁾ or 12,5 ⁽¹¹⁾ (total) ⁽¹²⁾</i> |

| <i>Amendment</i> | | | | | |
|------------------|---|------------------------|---------------------------|--------------------------|---|
| (1) | (2) | (3) | (4) | (5) | (6) |
| [Entry] N° | Name of substance | Category of substances | CAS number ⁽¹⁾ | EU number ⁽²⁾ | Quality Standard ⁽³⁾ [µg/l unless otherwise indicated] |
| 1 | Nitrates | Nutrients | not applicable | not applicable | 50 mg/l |
| 2 | Active substances in pesticides, including their relevant metabolites, degradation and reaction products ⁽⁴⁾ | Pesticides | not applicable | not applicable | 0,1 (individual) |
| | | | | | 0,5 (total) ⁽⁵⁾ |
| 3 | Per- and poly-fluorinated alkyl substances (PFAS) - sum of 24 ⁽⁶⁾ | Industrial substances | See table note 6 | See table note 6 | 0,0044 ⁽⁷⁾ |
| 4 | Carbamazepine | Pharmaceuticals | 298-46-4 | not applicable | 0,25 |
| 5 | Sulfamethoxazole | Pharmaceuticals | 723-46-6 | not applicable | 0,01 |
| 6 | Pharmaceutical active substances – total ⁽⁸⁾ | Pharmaceuticals | not applicable | not applicable | 0,25 |

Justification

For non-relevant metabolites of pesticides, the Drinking Water Directive does not set limit values. For the above-mentioned reasons, it is not appropriate to set limit values for ground water. Instead, the Commission should consider adding NrMs to the watch lists to be established under Article 2(6) and Article 3(7) of the proposal.

PROCEDURE – COMMITTEE ASKED FOR OPINION

| | |
|---|---|
| Title | Amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy |
| References | COM(2022)0540 – C9-0361/2022 – 2022/0344(COD) |
| Committee responsible Date announced in plenary | ENVI 19.1.2023 |
| Opinion by Date announced in plenary | AGRI 19.1.2023 |
| Rapporteur for the opinion Date appointed | Martin Häusling 8.12.2022 |
| Discussed in committee | 23.3.2023 |
| Date adopted | 23.5.2023 |
| Result of final vote | +: 36 –: 0 0: 10 |
| Members present for the final vote | Mazaly Aguilar, Clara Aguilera, Álvaro Amaro, Attila Ara-Kovács, Benoît Biteau, Daniel Buda, Isabel Carvalhais, Asger Christensen, Angelo Ciocca, Ivan David, Paolo De Castro, Jérémy Decerle, Salvatore De Meo, Herbert Dorfmann, Luke Ming Flanagan, Paola Ghidoni, Dino Giarrusso, Martin Häusling, Martin Hlaváček, Krzysztof Jurgiel, Jarosław Kalinowski, Elsi Katainen, Camilla Laureti, Gilles Lebreton, Norbert Lins, Elena Lizzi, Chris MacManus, Colm Markey, Marlene Mortler, Ulrike Müller, Maria Noichl, Juozas Olekas, Bronis Ropė, Anne Sander, Simone Schmiedtbauer, Annie Schreijer-Pierik, Veronika Vrecionová, Sarah Wiener |
| Substitutes present for the final vote | Franc Bogovič, Anna Deparnay-Grunenberg, Jan Huitema, Zbigniew Kuźmiuk, Irène Tolleret, Tom Vandenkendelaere |
| Substitutes under Rule 209(7) present for the final vote | Mohammed Chahim, Matthias Ecke |

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 36 | + |
|----------|--|
| ECR | Mazaly Aguilar, Krzysztof Jurgiel, Zbigniew Kuźmiuk, Veronika Vrecionová |
| NI | Dino Giarrusso |
| PPE | Álvaro Amaro, Franc Bogovič, Daniel Buda, Salvatore De Meo, Herbert Dorfmann, Jarosław Kalinowski, Norbert Lins, Colm Markey, Marlene Mortler, Anne Sander, Simone Schmiedtbauer, Annie Schreijer-Pierik, Tom Vandenkendelaere |
| Renew | Asger Christensen, Jérémy Decerle, Martin Hlaváček, Jan Huitema, Elsi Katainen, Ulrike Müller, Irène Tolleret |
| S&D | Clara Aguilera, Attila Ara-Kovács, Isabel Carvalhais, Mohammed Chahim, Paolo De Castro, Matthias Ecke, Camilla Laureti, Maria Noichl, Juozas Olekas |
| The Left | Luke Ming Flanagan, Chris MacManus |

| 0 | - |
|---|---|
| | |

| 10 | 0 |
|-----------|---|
| ID | Angelo Ciocca, Ivan David, Paola Ghidoni, Gilles Lebreton, Elena Lizzi |
| Verts/ALE | Benoît Biteau, Anna Deparnay-Grunenberg, Martin Häusling, Bronis Ropë, Sarah Wiener |

Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

| | | | | |
|---|---|-------------------|-------------------|-------------------|
| Title | Amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, Directive 2006/118/EC on the protection of groundwater against pollution and deterioration and Directive 2008/105/EC on environmental quality standards in the field of water policy | | | |
| References | COM(2022)0540 – C9-0361/2022 – 2022/0344(COD) | | | |
| Date submitted to Parliament | 27.10.2022 | | | |
| Committee responsible Date announced in plenary | ENVI 19.1.2023 | | | |
| Committees asked for opinions Date announced in plenary | BUDG 19.1.2023 | ITRE 19.1.2023 | AGRI 19.1.2023 | PECH 19.1.2023 |
| Not delivering opinions Date of decision | BUDG 18.11.2022 | PECH 1.12.2022 | | |
| Rapporteurs Date appointed | Milan Brglez 11.1.2023 | | | |
| Discussed in committee | 22.3.2023 | | | |
| Date adopted | 27.6.2023 | | | |
| Result of final vote | + | 69 | | |
| | - | 4 | | |
| | 0 | 15 | | |
| Members present for the final vote | Mathilde Androuët, Maria Arena, Margrete Auken, Marek Paweł Balt, Traian Băsescu, Aurélie Beigneux, Hildegard Bentele, Sergio Berlato, Alexander Bernhuber, Malin Björk, Pascal Canfin, Sara Cerdas, Maria Angela Danzi, Esther de Lange, Christian Doleschal, Bas Eickhout, Cyrus Engerer, Agnès Evren, Pietro Fiocchi, Hélène Fritzon, Malte Gallée, Gianna Gancia, Andreas Glueck, Catherine Griset, Martin Hojsík, Pär Holmgren, Jan Huitema, Yannick Jadot, Adam Jarubas, Karin Karlsbro, Petros Kokkalis, Joanna Kopcińska, Peter Liese, Sylvia Limmer, Javi López, César Luena, Marian-Jean Marinescu, Fulvio Martusciello, Marina Mesure, Tilly Metz, Silvia Modig, Alessandra Moretti, Grace O’Sullivan, Nikos Papandreou, Francesca Peppucci, Stanislav Polčák, Jessica Polfjärd, Erik Poulsen, Nicola Procaccini, María Soraya Rodríguez Ramos, Maria Veronica Rossi, Ivan Vilibor Sinčić, Edina Tóth, Achille Variati, Mick Wallace, Emma Wiesner, Michal Wiezik, Tiemo Wölken, Anna Zalewska | | | |
| Substitutes present for the final vote | João Albuquerque, Biljana Borzan, Milan Brglez, Catherine Chabaud, Christophe Clergeau, Antoni Comín i Oliveres, Rosanna Conte, Norbert Lins, Marisa Matias, Sara Matthieu, Marlene Mortler, Max Orville, Manuela Ripa, Robert Roos, Massimiliano Salini, Christel Schaldemose, Róza Thun und Hohenstein, Sarah Wiener | | | |
| Substitutes under Rule 209(7) present for the final vote | Franc Bogovič, Lena Düpont, Matthias Ecke, Roman Haider, Jarosław Kalinowski, Rob Rooker, Bert-Jan Ruissen, Domènec Ruiz Devesa, Simone Schmiedtbauer, Sara Skyttedal, Romana Tomc | | | |
| Date tabled | 12.7.2023 | | | |

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

| 69 | + |
|-----------|--|
| NI | Antoni Comín i Oliveres, Maria Angela Danzi |
| PPE | Traian Băsescu, Hildegard Bentele, Alexander Bernhuber, Franc Bogovič, Christian Doleschal, Lena Düpont, Agnès Evren, Adam Jarubas, Jarosław Kalinowski, Esther de Lange, Peter Liese, Norbert Lins, Marian-Jean Marinescu, Fulvio Martusciello, Marlene Mortler, Francesca Peppucci, Stanislav Polčák, Jessica Polfjärd, Massimiliano Salini, Simone Schmiedtbauer, Sara Skytvedal, Romana Tomc |
| Renew | Pascal Canfin, Catherine Chabaud, Martin Hojsík, Jan Huitema, Karin Karlsbro, Max Orville, Erik Poulsen, María Soraya Rodríguez Ramos, Róza Thun und Hohenstein, Emma Wiesner, Michal Wiezik |
| S&D | João Albuquerque, Maria Arena, Marek Paweł Balt, Biljana Borzan, Milan Brglez, Sara Cerdas, Christophe Clergeau, Matthias Ecke, Cyrus Engerer, Heléne Fritzon, Javi López, César Luena, Alessandra Moretti, Nikos Papandreou, Domènec Ruiz Devesa, Christel Schaldemose, Achille Variati, Tiemo Wölken |
| The Left | Malin Björk, Petros Kokkalis, Marisa Matias, Marina Mesure, Silvia Modig, Mick Wallace |
| Verts/ALE | Margrete Auken, Bas Eickhout, Malte Gallée, Pär Holmgren, Yannick Jadot, Sara Matthieu, Tilly Metz, Grace O'Sullivan, Manuela Ripa, Sarah Wiener |

| 4 | - |
|-----|---|
| ECR | Joanna Kopcińska, Rob Rooken, Robert Roos, Bert-Jan Ruissen |

| 15 | 0 |
|-------|--|
| ECR | Sergio Berlato, Pietro Fiocchi, Nicola Procaccini, Anna Zalewska |
| ID | Mathilde Androuët, Aurélie Beigneux, Rosanna Conte, Gianna Gancia, Catherine Griset, Roman Haider, Sylvia Limmer, Maria Veronica Rossi |
| NI | Ivan Vilibor Sinčić, Edina Tóth |
| Renew | Andreas Glueck |

Key to symbols:

+ : in favour

- : against

0 : abstention