



Council of the European Union
General Secretariat

Brussels, 14 October 2024

WK 12596/2024 ADD 1

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on the Environment
N° Cion doc.:	14265/22 + ADD 1
Subject:	Priority Substances in Water: Follow-up to the WPE on 3 September 2024 – Comments from delegations

Following the call for comments (WK 10993/24 INIT) on the above, delegations will find attached comments by DE and PT.

GERMANY

Table for comments – Priority substances

Table for MS comments reflecting on the amendments proposed by the EP

Notes: When completing the table, please keep the following rules:

- do not modify the table format by adding/removing/adjusting/merging/splitting cells and rows
- do not use active track-changes
- use the drop-down list in Column 3 to indicate the national position.
- please fill in and send the table in word format

EP amendment	Reference in the text	MS position	MS comment
1	Recital -1 new	Neutral	Can be supported, but it overlaps with recital 1 of the WFD.
2	Recital -1a new	Not support	Covered in the Drinking Water Directive. Keep at most the last sentence.
3	Recital 1	Support	Just an addition.
4	Recital 1a new	Not support	These are publicly available data that are already outdated (from 2019 or earlier) and should not be mentioned here, even if the overall message is correct.
5	Recital 1b new	Not support	The Fitness Check is also already 5 years old and publicly available. The proposed recital does not have any added value.
6	Recital 1c new	Not support	Again from an older report. Mentioning only one single sector bears the danger to trivialize other sectors.
7	Recital 1d new	Support	
8	Recital 1e new	Partially support	Overlaps with the newly proposed recital (-1) above and recital 1 of the WFD.
9	Recital 1ef new	Not support	Citation of an old Report and unspecific message.
10	Recital 1g new	Partially support	Implication that only the good status of water bodies is important for agriculture should be rejected. A more open wording, e.g. "adequate status" is preferable.
11	Recital 1h new	Not support	Unclear what such incentives could entail and which form they would have. As incentives are not mentioned in any of the articles, we do not see the added values of this reference.
12	Recital 1i new	Neutral	
13	Recital 1j new	Not support	Outdated data and unclear message

EP amendment	Reference in the text	MS position	MS comment
14	Recital 1k new	Not support	Long and nothing new.
15	Recital 2a new	Not support	This is far beyond the scope of the directive package and the three directives.
16	Recital 3a new	Not support	This is more of an overarching position and is not part of this package.
17	Recital 3b new	Not support	The WFD's Fitness Check is from 2019, so it's been a while. And the amendment contains nothing new.
18	Recital 4	Not support	Must be read together with amendment 149. This would mean a higher requirement for Member states than in the current GWD and in the proposition of the COM. Unclear if this is necessary to improve groundwater protection.
19	Recital 4a	Not support	The COM should make proposals on phasing out, see Coreper's position on Articles 4 and 16 WFD.
20	Recital 5	Partially support	This is in line with Amendment 57. Mobility is part of the hazard classes listed in the CLP-Regulation. Toxicity is already mentioned in this recital and therefore redundant. It should not be added again.
21	Recital 7	Not support	Even if measures at the source make more sense than end-of-pipe measures, this is not always possible or more difficult to implement.
22	Recital 7a new	Partially support	This wording is better than the additions in Amendment 21, but still too strict ("should"). Important is the required coherence of all legal regulations at EU level and also at national level in the last sentence.
23	Recital 7b new	Not support	Unclear for what the recital is intended. For groundwater and surface water a watch-list mechanism is established in the concerning articles. Even is the cap of 5 substances for the groundwater watch-list is to low, an unlimited number of substances to be monitored under the watch-list is not practicable.
24	Recital 8	Not support	Delegated acts are not supported. An EQS for PFAS-Total should only be included by a regular legislative procedure, and shall only apply once technical guidelines for monitoring this parameter are developed
25	Recital 8a new	Not support	EQS should be derived along the Technical Guidance Document No. 27.
26	Recital 8b new	Not support	EQS should be derived along the Technical Guidance Document No. 27.
27	Recital 8c new	Not support	
28	Recital 8d new	Not support	BPA is already classified as a priority hazardous substance in the current Version of Annex I in the PSD. A Bisphenol Total Parameter needs more preparatory work and is therefore not supported.

EP amendment	Reference in the text	MS position	MS comment
29	Recital 8 ed new	Partially support	We support the principle of threshold values that are adapted to the risk for groundwater ecosystems.
30	Recital 9a new	Support	This underlines the need for an increased harmonization of Nitrates Directive and WFD.
31	Recital 10	Neutral	More up to date numbers would be better, but are probably not available. Amendment not really necessary, but helps to back the insertion of AMR in this regulation.
32	Recital 10a new	Not support	This is unnecessary here. Emissions are not part of this regulation and it is unclear what this amendment is aiming at.
33	Recital 10b new	Neutral	The consequences of sulphates-monitoring can't be assessed right now. By Article 6a, KOM can propose substances for the watchlist, based on ECHA-reports. Therefore this amendment doesn't seem necessary but could be used for negotiating. EQS should be derived along the Technical Guidance Document No. 27.
34	Recital 10c new	Neutral	This amendment doesn't seem necessary but could be used for negotiating. Unclear what this amendment is aiming at.
35	Recital 11	Partially support	The first two amendments are supported. The last one concerning delegated acts is <u>not</u> supported! EQS should only be included by a regular legislative procedure.
36	Recital 11a new	Not support	Unclear mechanism on how groundwater quality standards should be updated to be more stringent.
37	Recital 12	Not support	This recital has been deleted in the Coreper-Version, as it refers to the deletion of articles 16 and 17, which have been reinserted in the coreper-version.
38	Recital 12a new	Not support	The Fitness Check is from 2019 and there's no need to quote from publicly available documents. In addition, "flood risk management" is not in the scope of the directives here.
39	Recital 13a new	Not support	This is already achieved by the work of the working-group chemicals and the technical guidance document no. 27.
40	Recital 13b new	Not support	The planning character and management approach of the directive must be retained, specific measures should not be included in this framework directive.
41	Recital 15	Not support	adapted wording of the COREPER mandate should be used
42	Recital 20a new	Not support	Is not comprehensible, management plans and programmes of measures as well as associated background documents including information on the chemical status are publicly available

EP amendment	Reference in the text	MS position	MS comment
43	Recital 21	Neutral	In our opinion not really necessary, because a cooperation between ECHA and EMA is assumed.
44	Recital 23	Not support	Unclear why this should be deleted, because it directly links to article 5 of Directive 2008/105/EC.
45	Recital 31	Support	This is a concretizing addition.
46	Recital 31new	Not support	The planning character and management approach of the directive must be retained, specific measures should not be included in this framework directive. Unclear why specific sectors are mentioned here. Regulations for specific sectors are made through BAT-Conclusions under the IED, which also include emerging techniques.
47	Recital 31b new	Scrutiny reservation	
48	Recital 31c new	Scrutiny reservation	
49	Recital 32	Partially support	Since the WFD does not apply to third countries, "ensuring" is not correct. It should be "endeavoring", see Article 3 (5) WFD. See also further down in the text.
50	Recital 32a new	Not support	Cites a publicly available report with no recognizable direction.
51	Recital 32b new	Not support	This amendment is linked to amendment 94.
52	Recital 32c new	Partially support	Helpful, if the joint monitoring facility is used on a voluntary basis and the results are approved and released by the MS.
53	Recital 32d new	Not support	Required financial resources are not available in MS.
54	Recital 34a new	Partially support	The COM should also be mentioned here.
55	Recital 34b new	Not support	Important objective, but unrealistic to accomplish and how.
Directive 2000/60/EC			
56	Article 1 paragraph 1 point 1 introductory part	Not support	The indents in Article 1 refer to a) - e).
57	Article 1 paragraph 1 point 2 point c	Partially support	The COREPER version has outsourced the concrete definition to Article 16(3) of the WFD. This is why the EP's concretization would be inappropriate here. However, the EP amendment is more up-to-date and more specific in its definition and takes up the specific hazard classes of the CLP Regulation ((EC) No 1272/2008).
58	Article 1 paragraph 1 point 2 d)	Neutral	The COREPER mandate had separated the definition (35b) of the effect-based trigger values

EP amendment	Reference in the text	MS position	MS comment
			from the EQS. The reference to scientifically sound methods is already included there.
59	Article 1 paragraph 1 point 2 d) a) new	Support	Link to current DWD
60	Article 1 paragraph 1 point 2 d) b) new	Support	Good amendment to a definition in the WFD that was not amended by the COM. Since the Council proposes to reinsert Article 16, the current reference here to Article 16 would be fine in principle, but the EP proposal seems more pragmatic and clearer
61	Article 1 paragraph 1 point 3	Not support	Coreper proposal is better. The EP proposal would also duplicate a number of things in 4a. In addition, the last paragraph is already covered by Article 11(3)(l) WFD. Most international river basin commissions already have international warning systems established. All states also have bilateral treaties for mutual support in the event of disasters.
62	Article 1 paragraph 1 point 4 point 1	Not support	Coreper version is preferred
63	Article 1 paragraph 1 point 4 point ba	Not support	There is no scientific basis for this and would overburden the nature conservation authorities, who would have to set the requirements. It also does not comply with the new EU Restoration Law.
64	Article 1 paragraph 1 point 6 point a	Not support	The Coreper wording makes more sense and delegated acts are rejected.
65	Article 1 paragraph 1 point 6 point a) a) new	Support	Very good proposal, which could advance digitalization in environmental monitoring and provide citizens and authorities with up-to-date water data. However, this only applies if the COM comes to a positive conclusion with specific recommendations in its assessment.
66	Article 1 paragraph 1 point 6 b)	Not support	Coreper version is preferred, as reporting is only required every 3 years.
67	Article 1 paragraph 1 point 7 a new	Not support	It remains the responsibility of the MS to decide how they implement the WFD in detail. Measures at source are not possible or easy to implement everywhere. There should be uniform requirements based on proposals from the COM.

EP amendment	Reference in the text	MS position	MS comment
68	Article 1 paragraph 1 point 7 b) new	Not support	All sources of water pollution must be considered; no single source should be emphasized. In addition, uniform EU standards are required.
69	Article 1 paragraph 1 point 8 a new	Not support	There are several options for dealing with permits for water use.
70	Article 1 paragraph 1 point 9	Not support	Coreper version is better.
71	Article 1 paragraph 1 point 9	Neutral	2 months would also be fine.
72	Article 1 paragraph 1 point 9 a	Not support	The WFD does not mentions, that the plans must be approved by the COM. In contrast to other directives.
73	Article 1 paragraph 1 point 9 a new	Scrutiny reservation	
74	Article 1 paragraph 1 point 10	Not support	Article 15 (3) WFD (interim report on the implementation of the programs of measures under the WFD) must be deleted. This is a lot of work, even by electronic reporting, and is only a snapshot. It has no added value.
75	Article 1 paragraph 1 point 10 a new	Not support	Article 15 (3) has been deleted in the Coreper version. In addition, templates for interim reports etc. already existed for the previous reporting.
76	Article 1 paragraph 1 point 12 point b	Not support	Article 18(4) must be deleted because Article 16 continues to apply to phasing out etc. and the COM remains responsible for making proposals here.
77	Article 1 paragraph 1 point 18a new	Not support	The preparation of management plans is already very complex. Further points would only lead to unnecessarily more bureaucracy.
78	Article 1 paragraph 1 point 20	Support	Both annexes are obsolete.
Directive 2006/118/EC			
79	Article 2 paragraph 1 point 2	Support	Prioritising restriction measures and measures at source is helpful for GW protection. This also includes phasing-out measures at European level.
80	Article 2 paragraph 1 point 2	Not support	Introduction of an "ecological" quality component in the GW would lead to a significant increase in implementation costs while yielding little benefit. In addition there is too few scientific knowledge on

EP amendment	Reference in the text	MS position	MS comment
			this topic. Better to protect groundwater ecosystems through other regulatory means.
81	Article 2 paragraph 1 point 4 point a) a) new	Neutral	
82	Article 2 paragraph 1 point 4 point c)	Support	Information of the population is supported.
83	Article 2 paragraph 1 point 4 point d)	Support	Adjustment based on the precautionary principle is welcomed
84	Article 2 paragraph 1 point 4 a new	Support	The old deadline is obsolete.
85	Article 2 paragraph 1 point 6	Partially support	A minimum of 5 substances on the watch list is supported in principle. However, the other statements remain somewhat unclear, e.g. which indicators should be used to monitor pollution.
86	Article 2 paragraph 1 point 6	Neutral	The Coreper wording is better. The consequences of sulphates-monitoring can't be assessed right now.
87	Article 2 paragraph 1 point 6	Not support	Pollution indicators do not appear to make sense here. It's unclear what should be the aim of pollution indicators, in particular because QS can already be interpreted as indicators of pollution.
88	Article 2 paragraph 1 point 6	Support	Helpful addition to address a broad spectrum of possible substances.
89	Article 2 paragraph 1 point 6	Not support	EP proposal is too dynamic, especially as a minimum duration of watchlist monitoring is required to capture seasonal fluctuations.
90	Article 2 paragraph 1 point 6	Not support	This should already be included in the ECHA reports from 6a(1).
91	Article 2 paragraph 1 point 6	Support	We already had recommended a closer network of measuring points, to get a better picture of groundwater pollution.
92	Article 2 paragraph 1 point 6 a new	Partially support	We support the proposed COM assessment, but do not support the tabling of a legislative proposal. Also see our comment on amendment 80.
93	Article 2 paragraph 1 point 6 b) new	Not support	It is unclear where the COM will receive the necessary information. An extended reporting obligation is viewed critically in this context.

EP amendment	Reference in the text	MS position	MS comment
94	Article 2 paragraph 1 point 6 c) new	Not support	It seems very complex to involve manufacturers or distributors in the costs of monitoring the substances they release into the environment. Involving companies within the framework of extended producer responsibility would lead to a further cost burden on the economy.
95	Article 2 paragraph 1 point 6 d) new	Partially support	In the COREPER version, this point has been included in Article 8(6) of the WFD, but is formulated less strict than in the EP proposal.
96	Article 2 paragraph 1 point 7	Not support	Does not fit in with the 6-year management cycle of the WFD
97	Article 2 paragraph 1 point 7	Not support	Rejection of delegated acts, DE prefers the regular legislative procedure
98	Article 2 paragraph 1 point 7	Not support	Rejection of delegated acts, preference for the regular legislative procedure, wording no longer fits the context of the article as proposed by Coreper.
99	Article 2 paragraph 1 point 7	Support	Helpful addition to address a broad spectrum of possible substances.
100	Article 2 paragraph 1 point 7	Support	Helpful addition to use the available knowledge of national authorities.
101	Article 2 paragraph 1 point 7	Not support	In the Coreper version, the monitoring of PFAS-total in groundwater is introduced in Article 8(7) on a voluntary basis, provided that a method is available. This must be issued by the COM 2 years after the Directive comes into force. The introduction of a quality standard for PFAS total via a delegated act, as proposed by the EP, is rejected, as data must first be generated via the watch list.
102	Article 2 paragraph 1 point 7	Not support	Does not fit into the 6-year management cycle of the WFD
103	Article 2 paragraph 1 point 8	Partially support	In principle, the limitation of the duration of powers is welcomed. The preparation and evaluation of a report unnecessarily increases the bureaucratic burden for the COM, Council and EP
104	Article 2 paragraph 1 point 8	Not support	Changed reference no longer fits into the structure as proposed by the Council
105	Article 2 paragraph 1 point 8	Support	Typo
106	Article 2 paragraph 1 point 8	Not support	Changed reference no longer fits into the structure as proposed by the Council

EP amendment	Reference in the text	MS position	MS comment
107	Article 2 paragraph 1 point 14	Scrutiny reservation	Seasonal and periodic fluctuations will also become increasingly important for trend analysis in light of climate change. However, the wording is unclear.
Directive 2008/105/EC			
108	Article 3 paragraph 1 point 1a new	Support	The EP's proposal is more appropriate than the original text in the Directive, which the COM had not revised.
109	Article 3 paragraph 1 point 3 point a	Not support	The reference to the industry emissions portal that the EP wants has been inserted elsewhere in the Coreper version in the heavily revised Article 5.
110	Article 3 paragraph 1 point 3 point a	Support	Useful addition for more transparency without much additional effort. As the inventories must be available electronically anyway, online publication is easy.
111	Article 3 paragraph 1 point 3 point a	Not support	Important note, to avoid duplication of work. Deletion by EP is not supported.
112	Article 3 paragraph 1 point 3 point c)	Not support	Coreper version differs significantly, but the idea of the EP amendment is taken into account.
113	Article 3 paragraph 1 point 3 point c)	Not support	Para should be retained as it is part of the construct of the heavily revised Article 5.
114	Article 3 paragraph 1 point 4	Partially support	A higher frequency of reports may be helpful, but in light of the 6-year management cycles, a 2-year frequency seems too much and has no added value. A 3-year cycle seems to be more appropriate.
115	Article 3 paragraph 1 point 4	Support	The prioritization of measures at source makes sense in light of precautionary water protection.
116	Article 3 paragraph 1 point 4 a new	Scrutiny reservation	In light of the COREPER version of article 16, the present WFD-wording is not appropriate anymore and should be updated. The EP-Amendment is not appropriate as well.
117	Article 3 paragraph 1 point 5	Not support	Paragraph 1 was completely deleted in the COREPER version. In addition, a 4-year cycle would not fit into the management cycles of the WFD.
118	Article 3 paragraph 1 point 5	Not support	Para 2 was completely deleted in the COREPER version. The proposed amendment no longer fits into the overall construct as proposed by the Council.

EP amendment	Reference in the text	MS position	MS comment
119	Article 3 paragraph 1 point 5	Not support	Important aspect, but doesn't fit in the COREPER version at this place. In addition it not clear, how cumulative effects can be considered for single substances.
120	Article 3 paragraph 1 point 5	Not support	The introduction of a quality standard for PFAS total via a delegated act, as proposed by the EP, is rejected.
121	Article 3 paragraph 1 point 5	Not support	Introduction of new EQS via delegated acts is rejected, and data must first be collected via the watchlist.
122	Article 3 paragraph 1 point 5	Not support	Article 8(7) has been deleted in the Council proposal. The content can now be found in Article 16(5) of the WFD, but with a 6-year cycle.
123	Article 3 paragraph 1 point 6	Not support	Amendment does not fit into the COREPER version anymore. Parts of the wording are now found in Annex I of WFD under 1.4.3. Additional maps should be voluntary as they are helpful only in specific situations and for specific substances.
124	Article 3 paragraph 1 point 6	Support	This may reduce the monitoring-burden for MS.
125	Article 3 paragraph 1 point 6	Not support	Already included in a similar form in Article 8a(4) of the Coreper version, but without any obligation via delegated acts.
126	Article 3 paragraph 1 point 7	Not support	The wording in the Coreper version is better, and indicators for pollution do not fit into the construct of the EQS Directive and the Watchlist. In addition, EQS can already be interpreted as pollution indicators.
127	Article 3 paragraph 1 point 7	Not support	The Coreper version is less strict and does not set a deadline. The EP's additional requirements for monitoring sulphates and xanthates are not supported.
128	Article 3 paragraph 1 point 7	Not support	Indicators for pollution do not fit into the construct of the EQS Directive and the Watchlist. In addition, EQS can already be interpreted as pollution indicators.
129	Article 3 paragraph 1 point 7	Neutral	EP wording is acceptable. Was not changed in the Coreper-Version.
130	Article 3 paragraph 1 point 7	Not support	Changing the watchlist too frequently and too quickly makes it difficult for Member States to adjust their sampling programmes and laboratories to a new watchlist. In addition, monitoring is necessary over a certain period of time in order to capture seasonal fluctuations.
131	Article 3 paragraph 1 point 7	Not support	COREPER text takes the idea of the EP amendment into account, but linguistically fits better into the section and is more precise.

EP amendment	Reference in the text	MS position	MS comment
132	Article 3 paragraph 1 point 7 a)	Not support	It seems very complex to involve manufacturers or distributors in the costs of monitoring the substances they release into the environment. Involving companies within the framework of extended producer responsibility would lead to a further cost burden on the economy.
133	Article 3 paragraph 1 point 7 b)	Not support	In the Council version, this point has been included in Article 8(6) of the WFD, but is formulated less strict than in the COM.
134	Article 3 paragraph 1 point 8	Not support	The science behind the bioavailability of metals is not 100 % reliable at the moment and therefore legally contestable. In practice, it is often difficult to measure the necessary accompanying parameters.
135	Article 3 paragraph 1 point 8a new	Not support	Germany does not support delegated acts. In addition, the references in the amendment do not align in the COREPER-Version.
136	Article 3 paragraph 1 point 8 b new	Not support	Germany does not support delegated acts. In addition, the references in the amendment do not align in the COREPER-Version.
137	Article 3 paragraph 1 point 8 c new	Not support	Germany does not support delegated acts. In addition, the references in the amendment do not align in the COREPER-Version.
138	Article 3 paragraph 1 point 8 d new	Not support	Germany does not support delegated acts.
Annexes			
139	Annex I paragraph 1 point 10 a new	Not support	This is difficult to implement uniformly across the EU, because of the many relevant variables. On monitoring frequencies, a technical guidance is in preparation by the WG chemicals.
140	Annex I paragraph 1 point 18	Not support	To specific and in addition EU-wide definitions on seasonal upward trends are not available yet.
141	Annex II paragraph 1 point 1	Not support	Unclear what is meant – if macroplastics, this belongs to the waste treatment sector.
142	Annex III	Not support	The section was completely deleted by the COREPER and reinserted with changed wording in Article 3 (1a). The deadline for achieving good chemical status is 2039, therefore substance-specific measures must be included in the management plans from 2033 to achieve the objectives
143	Annex III	Not support	Must be read together with amendment 18. This would mean a higher requirement for Member

EP amendment	Reference in the text	MS position	MS comment
			states than in the current GWD and in the proposition of the COM. Unclear if this is really necessary to improve groundwater protection.
144	Annex III	Not support	The Coreper proposal corresponds to the COM proposal and was ok.
145	Annex III	Not support	In the Coreper version, the monitoring of PFAS-total in groundwater is introduced in Article 8(7) on a voluntary basis, provided that a method is available. This must be issued by the COM 2 years after the Directive comes into force. The introduction of a quality standard for PFAS total via a delegated act, as proposed by the EP, is rejected, as data must first be generated via the watch list.
146	Annex III	Partially support	The quality standard for carbamazepine should be a maximum of 0.25 µg/l, as originally proposed by the COM. The value proposed in the Coreper version is not protective enough, as it does not take sufficient account of the metabolites of carbamazepine, the slow rate of renewal of groundwater, our limited knowledge of groundwater ecosystems and its value for drinking water production. The EP proposal, on the other hand, is very ambitious.
147	Annex III	Partially support	As originally proposed by the COM and confirmed by the EP, the parameter for the sum of active pharmaceutical substances should be listed in Annex I of the GWD. With a quality standard of no more than 0.25 µg/l (COM proposal)
148	Annex III	Not support	DE supports the Coreper proposal. The EP proposal would be stricter by a factor of 10.
149	Annex IV	Not support	The title of Annex II, Part B states "...have to consider establishing", thus the proposed amendment does not correspond with this title.
150	Annex V paragraph 1 point 2	Not support	In the Coreper version, atrazine was moved to Part C of Annex II. An arbitrary change of the EQS is rejected.
151	Annex V paragraph 1 point 2	Not support	An arbitrary change to the EQS is rejected.
152	Annex V paragraph 1 point 2	Not support	Changes to the list of priority substances should be made by regular legislative procedure.
153	Annex V paragraph 1 point 2	Not support	The introduction of a quality standard for PFAS-total via a delegated act, as proposed by the EP, is rejected.
154	Annex V paragraph 1 point 2	Not support	The EQS have been derived on the basis of toxicological studies using TGD No. 27. The insertion of a blanket value without a corresponding derivation does not fit into the

EP amendment	Reference in the text	MS position	MS comment
			system here. In addition, the new Annex I of the EQS Directive already lists some pharmaceutical products.
155	Annex VI	Not support	Unclear what is meant – if macroplastics, this belongs to the waste treatment sector.
156	Annex VI	Not support	The science behind the bioavailability of metals is not 100 % reliable at the moment and therefore legally contestable. In practice, it is often difficult to measure the necessary accompanying parameters.

PORTUGAL

Table for comments – Priority substances

Table for MS comments reflecting on the amendments proposed by the EP

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1	Recital -1 new	Choose an option ↓	
2	Recital -1a new	Choose an option ↓	
3	Recital 1	Choose an option ↓	
4	Recital 1a new	Not support	PT does not accept this recital. It does not adequately reflect the situation of water bodies at Union Level and the assessment of the status of water bodies can change every 6 years when RBMPs are reported. On the other hand, the reference to 2019 is inappropriate because the 3rd cycle has already been reported and could have altered this assessment.
5	Recital 1b new	Choose an option ↓	
6	Recital 1c new	Choose an option ↓	
7	Recital 1d new	Choose an option ↓	
8	Recital 1e new	Choose an option ↓	
9	Recital 1d new	Not support	Not acceptable. PT do not agree to the reference of the second cycle of RBMP, since the third cycle is already finished. The conclusions could be different.
10	Recital 1g new	Not support	Not acceptable. PT does not agree with this recital because all the economics sectors are interested to have good status of water bodies and efficient water management resources. It should be noted that agriculture is not the only sector of activity dependent on water availability.
11	Recital 1h new	Choose an option ↓	
12	Recital 1i new	Not support	Not acceptable. This is already in place. Both, SW and GW directives monitorizes the impact of pesticides and their metabolites in water bodies.

EP amendment	Reference in the text	MS position	MS comment
13	Recital 1j new	Not support	Not acceptable. This is a water directive, not an agricultural directive. Other sectors also made some efforts to reduce the use of chemical substances.
14	Recital 1k new	Not support	Not acceptable. The chemical pollution of SW and GW also poses a threat to other sectors, that uses water, beyond agriculture.
15	Recital 2a new	Choose an option ↓	
16	Recital 3a new	Choose an option ↓	
17	Recital 3b new	Not support	Not acceptable. This is a water directive, not an agricultural directive. Other sectors also made some efforts to better integration with WFD.
18	Recital 4	Choose an option ↓	
19	Recital 4a	Choose an option ↓	
20	Recital 5	Choose an option ↓	
21	Recital 7	Choose an option ↓	
22	Recital 7a new	Choose an option ↓	
23	Recital 7b new	Not support	Not acceptable. This is already in place. The number of substances or groups of substances to be monitored and analysed under the watch list for surface water and groundwater must be limited because there are no budget to develop and put in place all the chemical analyses that are necessary to analyse all the chemical substances.
24	Recital 8	Not support	PT does not accept this reference "PFAS total" regarding surface and groundwater, as there is still no analytical method to determine the total, and there are thousands of substances in this group. It is considered that this should be the sum of the PFAS, including the most toxic ones.
25	Recital 8a new	Choose an option ↓	
26	Recital 8b new	Choose an option ↓	
27	Recital 8c new	Not support	The generic quality standard of 0,1 µg/L and 0,5 µg/L for groundwater, for individual pesticides and for the sum of all pesticides respectively, as specified in Directive 2006/118/EC, are the same as the Directive 2020/2184/EC (Drinking Water).
28	Recital 8d new	Choose an option ↓	
29	Recital 8d new	Not support	Not acceptable The 2006/118/EC Directive proposes that for groundwater ecosystems, MS can establish more restrict threshold values.
30	Recital 9a new	Not support	Not acceptable. This should be for all economics sectors of activity.

EP amendment	Reference in the text	MS position	MS comment
31	Recital 10	Choose an option ↓	
32	Recital 10a new	Choose an option ↓	
33	Recital 10b new	Not support	Not acceptable. Sulphates should not go to watch list as it is a very easy physicochemical parameter to determine and many MS must already do so in their surveillance network.
34	Recital 10c new	Choose an option ↓	
35	Recital 11	Not support	Not acceptable. PT does not accept the delegated acts.
36	Recital 11a new	Choose an option ↓	
37	Recital 12	Choose an option ↓	
38	Recital 12a new	Choose an option ↓	
39	Recital 13a new	Choose an option ↓	
40	Recital 13b new	Choose an option ↓	
41	Recital 15	Not support	PT doesn't accept this recital. To ensure harmonisation and fairness at Union Level, the European Commission should establish the thresholds for the parameters that the MS have identified in the Annex II part B of the Directive 2006/118/EC
42	Recital 20a new	Choose an option ↓	
43	Recital 21	Choose an option ↓	
44	Recital 23	Choose an option ↓	
45	Recital 31	Choose an option ↓	
46	Recital 31new	Not support	Not acceptable. PT considers that the evaluation should be carried out accordingly with WFD cycles (6 years).
47	Recital 31b new	Choose an option ↓	
48	Recital 31c new	Choose an option ↓	
49	Recital 32	Choose an option ↓	
50	Recital 32a new	Choose an option ↓	
51	Recital 32b new	Choose an option ↓	
52	Recital 32c new	Choose an option ↓	

EP amendment	Reference in the text	MS position	MS comment
53	Recital 32d new	Choose an option ↓	
54	Recital 34a new	Choose an option ↓	
55	Recital 34b new	Choose an option ↓	
Directive 2000/60/EC			
56	Article 1 paragraph 1 point 1 introductory part	Choose an option ↓	
57	Article 1 paragraph 1 point 2 point c	Choose an option ↓	
58	Article 1 paragraph 1 point 2 d)	Choose an option ↓	
59	Article 1 paragraph 1 point 2 d) a) new	Choose an option ↓	
60	Article 1 paragraph 1 point 2 d) b) new	Choose an option ↓	
61	Article 1 paragraph 1 point 3	Choose an option ↓	
62	Article 1 paragraph 1 point 4 point 1	Choose an option ↓	
63	Article 1 paragraph 1 point 4 point ba	Choose an option ↓	
64	Article 1 paragraph 1 point 6 point a	Not support	PT does not agrees with delegation acts.
65	Article 1 paragraph 1 point 6 point a) a) new	Choose an option ↓	

EP amendment	Reference in the text	MS position	MS comment
66	Article 1 paragraph 1 point 6 b)	Not support	PT does not agree with this recital, namely with the reporting of monitoring data, at least once a year, electronically. Is important to highlight that MS already have to report surface water WL annually, and the same reported procedure should be applied to WL (groundwater). So, this new obligation implies an additional effort and a high consumption of time, for which we do not have the capacity, so it will be impossible to report in due time. We would therefore like to emphasise that the monitoring report should be carried out every six years, in line with the RBMP report.
67	Article 1 paragraph 1 point 7 a new	Choose an option ↓	
68	Article 1 paragraph 1 point 7 b) new	Not support	PT doesn't accept this ammendement. The agricultural sector is not only the water consumption. The measures should be applied to all economical sectors.
69	Article 1 paragraph 1 point 8 a new	Choose an option ↓	
70	Article 1 paragraph 1 point 9	Choose an option ↓	
71	Article 1 paragraph 1 point 9	Choose an option ↓	
72	Article 1 paragraph 1 point 9 a	Choose an option ↓	
73	Article 1 paragraph 1 point 9 a new	Choose an option ↓	
74	Article 1 paragraph 1 point 10	Choose an option ↓	
75	Article 1 paragraph 1 point 10 a new	Not support	PT doesn't accept this amendment. PT supports the COM's initial proposal to eliminate Article 15 (3), in which there is no longer an interim reporting of progress on programmes of measures and the assessment of the status of water bodies. In fact, the evaluation after only three years does not provide a real picture of the status of the measures plan, let alone its impact on the status of the bodies of water. In fact, many measures, because they involve works, require more time to be implemented and to show their benefit for the status of the bodies of water, which is why a proper assessment needs to be made at the end of the six-year cycle.

EP amendment	Reference in the text	MS position	MS comment
76	Article 1 paragraph 1 point 12 point b	Choose an option ↓	
77	Article 1 paragraph 1 point 18a new	Choose an option ↓	
78	Article 1 paragraph 1 point 20	Choose an option ↓	
Directive 2006/118/EC			
79	Article 2 paragraph 1 point 2	Choose an option ↓	
80	Article 2 paragraph 1 point 2	Not support	Not acceptable For the groundwater bodies only the chemical and quantitative status should be evaluated. It is important first of all to develop knowledge about GW ecosystems in order to then establish an objective assessment of the ecological status of groundwater bodies. This work should be carried out in the Groundwater Working Group as part of the WFD Common Implementation Strategy.
81	Article 2 paragraph 1 point 4 point a) a) new	Not support	Not acceptable Since surface and groundwater are used to water supply, the environment quality standards should be the same. To establish stricter values they must be supported by studies and be assured the analytical methods are available at Union Level with compliance with Directive 2009/90/EC
82	Article 2 paragraph 1 point 4 point c)	Choose an option ↓	
83	Article 2 paragraph 1 point 4 point d)	Support	Acceptable The precautionary principle is always present when the threshold values are set
84	Article 2 paragraph 1 point 4 a new	Not support	Not acceptable. The MS provide this information at the RBMP reporting in WISE
85	Article 2 paragraph 1 point 6	Not support	Not acceptable. The important is to establish a maximum number and not a minimum, The watch list represents an additional financial effort to develop analytical techniques for substances that may not be detected or that may not will be included on the Directive Annexes. For GW the water is the only matrix to be analysed

EP amendment	Reference in the text	MS position	MS comment
86	Article 2 paragraph 1 point 6	Not support	Not acceptable. For GW the main concerned are the nanoplastics. Sulphates should not go to watch list as it is a very easy physicochemical parameter to determine and many MS must already do so in their surveillance network.
87	Article 2 paragraph 1 point 6	Choose an option ↓	
88	Article 2 paragraph 1 point 6	Partially support	It is necessary to be critical of the produced information because some of them are not credible. PT partially supports because information from Academia and other sources are important, but should always be subject to validation by the Member State.
89	Article 2 paragraph 1 point 6	Not support	Not acceptable. It represents a financial and technical efforts there are very expensive. Some substances may not be included in the revision of Directive Annexes and analytical methods were developed.
90	Article 2 paragraph 1 point 6	Not support	Not acceptable. All the industrials' activities are evaluated when the chemical status is assessed, so the energy transition is included
91	Article 2 paragraph 1 point 6	Not support	Not acceptable. The original proposal is enough and is in line with the surface water watch list procedure.
92	Article 2 paragraph 1 point 6 a new	Not support	Not acceptable. The groundwater ecosystems are already evaluated, for chemical and quantitative status and each MS can establish more restrict threshold values
93	Article 2 paragraph 1 point 6 b) new	Not support	Not acceptable. Each MS calculates the chemical status for all the groundwater bodies and these situations are well known. Each MS is responsible for applying specific measures for these situations if needed
94	Article 2 paragraph 1 point 6 c) new	Choose an option ↓	
95	Article 2 paragraph 1 point 6 d) new	Choose an option ↓	
96	Article 2 paragraph 1 point 7	Choose an option ↓	
97	Article 2 paragraph 1 point 7	Not support	PT doesn't accept this recital. To ensure harmonisation and fairness at Union Level, the European Commission should establish the thresholds for the parameters that the MS have identified in the Annex II part B of the Directive. As regards to Part B from Annex II, PT does not agree with this proposal. PT consider that no new substances should be introduced in this Annex, considering that there is no harmonization at the

EP amendment	Reference in the text	MS position	MS comment
			European level, as each MS sets a threshold, and that the synthetic substances are not likely to be in the underground water environment. Annex II should only include substances that may occur naturally so that diversity can be safeguarded at European level. Synthetic substances should be moved to Annex I, with a quality standard at European level. If it is not possible, it should at least be moved to Part D) of Annex II together with the synthetic substances (tri and tetrachloroethylene) with thresholds at European level.
98	Article 2 paragraph 1 point 7	Choose an option ↓	PT doesn't accept delegated acts for technical issues. This comment is to reinforce that the PT does not agree with the delegated acts.
99	Article 2 paragraph 1 point 7	Choose an option ↓	
100	Article 2 paragraph 1 point 7	Choose an option ↓	
101	Article 2 paragraph 1 point 7	Not support	Not acceptable. There is no analytical technique for PFAS Total, it should be considered SUM of PFAS. PT do not agree with the delegated acts
102	Article 2 paragraph 1 point 7	Choose an option ↓	
103	Article 2 paragraph 1 point 8	Not support	Not acceptable. PT do not agree with the delegated acts
104	Article 2 paragraph 1 point 8	Not support	Not acceptable. PT do not agree with the delegated acts
105	Article 2 paragraph 1 point 8	Choose an option ↓	
106	Article 2 paragraph 1 point 8	Not support	Not acceptable. PT do not agree with the delegated acts
107	Article 2 paragraph 1 point 14	Choose an option ↓	
Directive 2008/105/EC			
108	Article 3 paragraph 1 point 1a new	Not support	PT does not accept this amendment. Member States shall set and apply EQS for the river basin specific pollutants, where those pollutants pose a risk to water bodies in one or more of their river basin districts based on the analyses and reviews under Article 5 of Directive 2000/60/EU.
109	Article 3 paragraph 1 point 3 point a	Not support	PT does not accept. It is extra work.

EP amendment	Reference in the text	MS position	MS comment
110	Article 3 paragraph 1 point 3 point a	Not support	PT does not accept. This should be reported under the Industrial Emissions Portal established under Regulation (EU) 2024/1244, and the confidentiality of the information must be taken into account.
111	Article 3 paragraph 1 point 3 point a	Not support	PT does not accept, since its suppression implies a duplicate report (extra work) to the Member States: the electronic report of emissions, discharges and losses to the Industrial Emissions Portal established under Regulation (EU) 2024/1244 of the European Parliament and of the Council, in accordance with Article 7 of that Regulation, and the report in accordance with Articles 5 and 8 of Directive 2000/60/EC.
112	Article 3 paragraph 1 point 3 point c)	Not support	PT does not accept this paragraph. All emissions should be reported under Industrial Emissions Portal established under Regulation (EU) 2024/1244, and the confidentiality of the information must be taken into account. The emissions should be addressed to the Directives respectively, and not reported under the RBMP. This information should be only available for status assessment of water bodies. Our (very) initial position did not include this regulation because it was published later, on 24-04-2024. Therefore, PT currently considers that emissions must be reported within the scope of each Directive that covers them, on the Industrial Emissions Portal. In the evaluation of RBMP they should be used only as information to evaluate the state of water bodies. It is not within the scope of RBMP reporting (WISE) that emissions must be reported.
113	Article 3 paragraph 1 point 3 point c)	Choose an option ↓	
114	Article 3 paragraph 1 point 4	Choose an option ↓	
115	Article 3 paragraph 1 point 4	Choose an option ↓	
116	Article 3 paragraph 1 point 4 a new	Choose an option ↓	
117	Article 3 paragraph 1 point 5	Not support	PT doesn't agree. PT agrees with COM proposal. PT supports the Council mandate deleting the paragraph.
118	Article 3 paragraph 1 point 5	Choose an option ↓	PT does not accept delegated acts. This comment is to reinforce that the PT does not agree with the delegated acts.
119	Article 3 paragraph 1 point 5	Choose an option ↓	

EP amendment	Reference in the text	MS position	MS comment
120	Article 3 paragraph 1 point 5	Not support	PT doesn't accept this amendment. As referred in previous comments it should be considered the SUM of PFAS and not the total.
121	Article 3 paragraph 1 point 5	Not support	PT does not accept delegated acts. This technical issue should be previously discussed in the Chemical Working Group.
122	Article 3 paragraph 1 point 5	Choose an option ↓	
123	Article 3 paragraph 1 point 6	Not support	PT does not support the drawing up of additional maps. It represents an extra burden to the MS, and the information is provided in WISE reporting in the scope of WFD.
124	Article 3 paragraph 1 point 6	Choose an option ↓	
125	Article 3 paragraph 1 point 6	Not support	PT does not accept delegated acts. This technical issue should be previously discussed in the Chemical Working Group.
126	Article 3 paragraph 1 point 7	Not support	PT does not support this amendment. The important thing is to establish the maximum number of substances to be monitored in the WL, bearing in mind that this procedure entails an increase in economic effort compared to all the monitoring necessary to comply with the WFD.
127	Article 3 paragraph 1 point 7	Not support	PT does not agree with this amendment. New substances should only be placed on the WL if there are harmonised analytical methods at Union Level, otherwise the results will not be comparable at Union Level. This should be discussed first Chemical Working Group.
128	Article 3 paragraph 1 point 7	Choose an option ↓	
129	Article 3 paragraph 1 point 7	Choose an option ↓	
130	Article 3 paragraph 1 point 7	Not support	Not acceptable. It represents a financial and technical efforts there are very expensive. Some substances may not be included in the revision of Directive Annexes and analytical methods were developed. The procedure for assessing pressures is defined in the WFD and all pressures are considered. Changes to the WFD should be analysed as a whole, i.e. when this Directive is revised.
131	Article 3 paragraph 1 point 7	Choose an option ↓	
132	Article 3 paragraph 1 point 7 a)	Choose an option ↓	
133	Article 3 paragraph 1 point 7 b)	Choose an option ↓	

EP amendment	Reference in the text	MS position	MS comment
134	Article 3 paragraph 1 point 8	Choose an option ↓	
135	Article 3 paragraph 1 point 8a new	Not support	PT does not accept delegated acts.
136	Article 3 paragraph 1 point 8 b new	Not support	PT does not accept delegated acts.
137	Article 3 paragraph 1 point 8 c new	Choose an option ↓	
138	Article 3 paragraph 1 point 8 d new	Not support	PT does not accept delegated acts.
Annexes			
139	Annex I paragraph 1 point 10 a new	Choose an option ↓	
140	Annex I paragraph 1 point 18	Choose an option ↓	
141	Annex II paragraph 1 point 1	Not support	PT does not accept this amendment. It is difficult to predict those materials, because they provide from several sources.
142	Annex III	Not support	PT does not agree with this amendment, as it may not be feasible given the need for the sectors that produce these substances to adapt to the new EQS, as well as the response of the water environment itself. ⁷
143	Annex III	Choose an option ↓	
144	Annex III	Choose an option ↓	
145	Annex III	Not support	PT does not accept delegate acts.
146	Annex III	Choose an option ↓	
147	Annex III	Choose an option ↓	
148	Annex III	Not support	PT does not support the current proposal. The separation between "relevant" and "not relevant" should not be introduced in Directive 2006/118/EC, the expression "metabolites" should be maintained as encompassing them all, considering:

EP amendment	Reference in the text	MS position	MS comment
			- Metabolites, whether relevant or not, should be placed in Annex I. They are synthetic substances and are not likely to be found in groundwater. It should be noted that even low-toxicity metabolites, given their occurrence, can cause short- and long-term side effects with an impact on groundwater bodies, namely, in terms of ecosystems and human health; - The quality standard (QS) should also remain those established in the Directive 2006/118/CE, as they are simple and remain in compliance with the DWD. The two Directives - DW and GW - should have the same approach and harmonised standards. Aligning the quality standards with the DWD allows for the protection of water bodies and the safeguarding human health; - The quality standards must be simple and objective, and this proposal is very confuse and may be difficult to harmonised at Union Level; - Finally, it is important also to highlight that list of pesticides is dynamic. Therefore, is important to create some flexibility, to allow the entrance of authorised new pesticides that must be monitored to protect groundwater. This approach is not compatible with pre-define lists.
149	Annex IV	Choose an option ↓	
150	Annex V paragraph 1 point 2	Choose an option ↓	
151	Annex V paragraph 1 point 2	Choose an option ↓	
152	Annex V paragraph 1 point 2	Not support	PT does not agree the proposal, despite recognising the importance of the bisphenol group in the list of priority substances. It should have been analysed in the Chemicals Working Group. PT does not accept delegate acts.
153	Annex V paragraph 1 point 2	Not support	PT does not agree, since the analytical methodology is not well established. It should be considered the SUM of PFAS. PT does not accept delegate acts.
154	Annex V paragraph 1 point 2	Choose an option ↓	PT recognise the importance, but at this time it should have been discussed in the Chemicals Working Group. PT supports the Council's position.
155	Annex VI	Not support	PT does not accept this amendment. It is difficult to predict those materials, because they provide from several sources.
156	Annex VI	Choose an option ↓	