



Council of the European Union  
General Secretariat

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**Interinstitutional files:  
2022/0344 (COD)**

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**Brussels, 24 April 2025**

**WK 5187/2025 INIT**

**LIMITE**

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## **MEETING DOCUMENT**

From:	General Secretariat of the Council
To:	Working Party on the Environment
N° Cion doc.:	ST 14265/22 + ADD 1
Subject:	Priority Substances in Water Directive: WPE on 29 April 2025 – Presidency Steering Note

With a view to the WPE on 29 April 2025, delegations will find attached a Presidency Steering Note on Priority Substances in Water Directive.

# PRESIDENCY STEERING NOTE

## WORKING PARTY ON THE ENVIRONMENT (WPE) – 29 April 2025 (pm) PRIORITY SUBSTANCES IN WATER DIRECTIVE 2022/0344(COD)

At the meeting of the Working Party on the Environment on 29 April 2025, the Presidency will inform the delegations about the state of play of the interinstitutional negotiations concerning the Priority Substances in Water Directive.

During the meeting, delegations will also have the opportunity to **exchange views** on the topic and discuss possible changes to the Council mandate in order to prepare for the trilogue planned on 20 May.

The discussion during the WPE will be based on the updated 4 column document attached to this note (ADD 1). Changes concern the clusters indicated below. Rows where a change to the mandate is proposed are also indicated below.

### 1. Watchlists cluster:

<b>The „cap” on the watchlist &amp; number of substances</b>	<b>GW: 166-195a</b>  <b>SW: 309-329</b>
<b>Frequency of updating watchlists</b>	
<b>Procedure of updating watchlists</b>	
<b>Watchlist monitoring</b>	
<b>Microplastics &amp; antimicrobial resistance genes</b>	

### 2. Monitoring cluster:

<b>Frequency of monitoring</b>	<b>304</b>
<b>Seasonal monitoring</b>	<b>235, 324, 473a-b:, 501</b>
<b>Real-time online monitoring / digitization of monitoring</b>	<b>41, 73a-c; 139a-b</b>
<b>Joint Monitoring Facility</b>	<b>24a, 42c, 76a, 195k-q, 329d-j</b>

### 3. Reporting cluster:

Reporting of monitoring and status data	74-76, 118
Interim reports on Programmes of measures	107-107b, 112
Reporting of national threshold values & EQS for RBSP	157-161b, 334
Maps & Indicators of progress	32a, 39, 73, 118, 299-303, 480a-f, 482a-g, 500a-d

### 4. Horizontal issues and art 16:

GW ecosystems / ecological status of GW and Areas of special concern and high ecological values	67a-b, 149a, 154a-b, 176, 195b-g
Pollution at source / end of pipeline	17-17a, 65-65b, 97a-b, 146 – 147, 264a
Extended producer responsibility	195h-j, 195q, 329a-c, 329j
Transboundary cooperation	61, 62-62b; 103-106a
RBMP rejection	106b-c
Article 16 & 17	108 –108ah

The scope of proposed changes to the mandate does not concern the entire text of the Amending Directive and reflects the progress made at the technical level.

#### 1. Watchlists cluster

For the **watchlists** cluster, two compromise proposals were discussed. For the **GW Watchlist**, it is proposed to keep the cap of 5 substances or group of substances, with addition of indicators of pollutants defined in the footnote. To avoid further potential capping, the “total number of individual compounds” will not be included in the text but the original Commission wording „methods shall not entail excessive costs” will be included. The monitoring period should start after 6 months, but with additional precision that sampling and analysis need not commence at the start of that period. The compromise proposal includes the Council’s amendment on the ECHA report content. It keeps proposal to add microplastics and ARGs as soon as reliable monitoring methods are available without any additional conditions, but acknowledge that they would not be retained for the following period of 3 years if progress has not been made on a risk assessment method (assuming data are reported annually). The number of sampling stations is proposed to be increased, but less than in the EP amendment ( 2 + 45000).

The compromise proposal for **SW Watchlist** follows the same logic for capping (but with limit of 10), microplastic and ARGs, ECHA report content and starting date for monitoring period. The

Council's amendment on frequency of monitoring of sediment and biota was included in the compromise proposal. The recital on green transition was added.

The revision of both watchlists should be kept at every 36 months.

## 2. Monitoring cluster

Four compromise proposals were discussed concerning the **monitoring cluster**.

For the **JMF** the co-legislators agreed to move all provisions to the WFD, keep the voluntary nature of the facility and adopt a graduated approach (first assessment of feasibility, then possible establishment). For the **digitalisation and online monitoring**, the compromise includes encouragement for digitalisation in a recital and in annex V. For the frequency of **uPBTs monitoring** (row 304), alternative wording for the EP amendment is proposed.

The **seasonal monitoring** compromise proposal includes changes in wording in annex V WFD and annex IV GWD.

## 3. Reporting cluster

Regarding the **reporting cluster**, the EP has shown readiness to accept Council's mandate on reporting of status and interim reports, if the Council agrees to more frequent monitoring of data. As for the reporting of national threshold values and EQS for RBSP, it is proposed to keep, as a general rule, the reporting as a part of RBMPs, with the exception of the first lists after the adoption of this Directive, for which, the deadline of 18 months is proposed. The Presidency has also insisted on the inclusion of the **indicators of progress** in the Directive, according to the Council mandate, slightly changed for more clarification.

## 4. Horizontal cluster

Several issues from **horizontal cluster** were also prepared with a view to the trilogue on 20 May, including compromise proposals on measures against pollution at source, with some changes in article 11 of the WFD, and on transboundary cooperation, with changes based on the Council mandate. During the trilogue it is also planned to discuss the GW ecosystem, the EPR and the RBMP rejection.

A compromise proposal on the reintroduction **of art. 16** was also discussed, without specifying the frequency of the revision or the procedure.

Delegations are kindly invited to indicate their positions, **flexibilities and red lines** regarding the issues listed in this note. The Presidency would appreciate if the Delegations could group their comments following above mentioned clusters.

Based on the input from the delegations, the Presidency will submit a revised mandate to Coreper **on 14 May 2025** with a view to the second trilogue scheduled on 20 May.