Council of the European Union
General Secretariat



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

**Brussels, 25 June 2025**

**WK 8644/2025 INIT**

**LIMITE**

**ENV**
**CLIMA**
**AGRI**
**FORETS**
**ENER**
**TRANS**
**CODEC**

*This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.*

**CONTRIBUTION**

| | |
|---|---|
| From:<br>To: | General Secretariat of the Council<br>Working Party on the Environment |
| N° Cion doc.: | ST 14265/22 + ADD 1 |
| Subject: | Priority Substances in Water Directive: Follow up to the WPE on 2 June 2025 – Revised Presidency Steering Note - comments from delegations |

Following the call for comments (WK 7085/1/24 REV 1) on the above, delegations will find attached comments by BE, BG, CZ, DE, EE, IE, ES, HR, IT, CY, LU, MT, NL, AT, PT, RO, FI and SE.

# BELGIUM

Belgian position on compromise proposals with regard to the clusters presented at the WPE meeting of June 2nd .
Revised Presidency steering note wk07085-re01.en25

## 1. Monitoring cluster:

| | |
|---|---|
| Effect based Monitoring | 21, 305-307 |

**EBM**: compromise is acceptable

## 2. Horizontal issues:

| | |
|---|---|
| **Definitions** | **52, 57a, 59** |
| **GW ecosystems / ecological status of GW and Areas of special concern and high ecological values** | **67a-b, 149a, 154a-b, 176, 195b-g** |
| **Non – deterioration clause & exemptions** | *57b*, 63a-d, 65c-e**, 67c-u** |
| **Access to justice** | **106d – 106k** |
| **Extended producer responsibility** | **195h–j, 195q, 329a-c, 329j** |

We can be flexible on this cluster except with regard to the Non-deterioration clause and exemptions (red line) and a strong reservation regarding GWecosystems

Detailed comments:

- **Definitions** New proposals can be accepted

- **Exemptions and non deterioriation** – we want to repeat that this is a red line for us. We understand that there is a request for more stringent conditions for the application of the new exemptions, but by adding all these extra conditions, the exemptions become too difficult to apply and the conditions are to restrictive whilst their only goal was to overcome real practicable problems MS encounter due to chemical pollution. Problems that are becoming more severe with the enlargement of the list of PS. Especially the condition in exemption 7b point c to restrict the relocation to WB not being in good status seems being too restrictive. The condition to be met is that the ecological status should not deteriorate, but it is perfectly possible that the WB is in good ecological status whilst it is not the case for chemical status. In those cases relocation should not be prohibited as long as the ecological status does not deteriorates. Otherwise it wouldn't for example not be possible anymore to dredge for flood safety in water bodies that are already in good chemical status. Therefore the first part of the sentence of 7b. c) should be deleted: "c) *the waterbody is confirmed as already not being in a ~~good ecological status or potential, neither in a~~ good chemical status …"*
  If biological quality elements will be reintroduced in 7a, we can accept as a compromise a 2 year recovery period for the biological quality elements
  Some other conditions in 7a and 7b are also too restrictive to keep the exemptions workable and they add unnecessary administrative burdens, but they might be okay as part of the compromise.

- **GWecosystems** :
  We are not in favor of the redrafted text of point 3 of Annex I of the GWdirective. First a methodology for the identification of such ecosystems needs to be developed. The introduction of this concept into the annex might have too far reaching consequences on the objectives of the directive which are protecting and restoring chemical and quantitative status of groundwaterbodies. Therefor we only support the redrafted recital20 and redrafted footnotes in Annex I and II but not the change to point 3 of Annex I of the GWdirective.

- **Access to justice**: we believe that this should be regulated in a horizontal way and not in each directive separately, but we are willing to show flexibility on this issue

- **EPR**: we have doubts on the feasibility to apply EPR to support monitoring costs. We believe that the implementation of such a mechanism might lead to more administrative burden and related casts for member states than it actually contributes to the monitoring costs. We prefer the evaluation of the EPR to be included in the recitals.

3. **Substances cluster:**

| | |
|---|---|
| **Synthetic substances (Repository)** | **GWD, Annex II, part D,** |
| **Deselection of substances** | **EQSD, Annex I and II** |
| **Pharmaceuticals** | **18, 18a-h, 21, 211c, 212a, 292a-b** |
| **Pesticides** | |
| **Bisphenols** | |
| **PFAS** | |

We can be flexible on this cluster except with regard to sum of pharmaceuticals in groundwater (red line), we can accept a delay for the list of non relevant metabolites, as long as this delay is reasonable.

Detailed comments:

- **Synthetic substances (Repository)**: New proposals can be accepted

- **Deselection of substances**
  We would have preferred deselection of more substances, but as part of the compromise we can be flexible

- **Pharmaceuticals**
  we don't agree with the selection of pharmaceuticals in the list of total Pharmaceutical actives substances (*carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone and iopamidol*) nor the QS proposed. Including the listed sum of pharmaceuticals in Annex I implies the obligatory monitoring of all the pharma in that list, and thus increasing considerably the monitoring obligations for MS. The COM explained at the WPEmeeting that this list was based on the pharma investigated in the voluntary watch list. This is only partly true, not all these substances were on the voluntary watch list .But more important is that the results of the voluntary watch list showed that several of these substances were not or only rarely detected in groundwater. The pharmaceutical active substances finally selected for the sum parameter would oblige member states to monitor (unnecessary) all these substances and thereby increase the costs and administrative burdens for Member States. Before adding pharmaceutical substances to annex I or including them in the sum parameter, further evaluation and better underpinning of their European wide relevance for groundwater is needed based on the watch list procedure for groundwater as foreseen in Article 6a of directive 2006/118/EC and the result should be evaluated and discussed with member states in the Working group Groundwater.. If sum(s) of pharma are to be added to annex I in the future, this should be sums based on mode of action.

- **EBM**
  For Surface Water we can be flexible on the proposal on EBM and the reintroduction of Annex III in the priority Substances directive and a 'placeholder' on the elaboration of specific sum parameters based on mode of action.

- **Pesticides**
  It is positive that the total pesticides is a closed list, but the proposed EQS of 0,1 is not realistic, nor scientifically validated. Taking into account the individual EQS for Glyphosate is 86,7 µg/l, this total EQS is not realistic.
  We prefer to put total pesticides on the 'placeholder list' and to develop an EQS foe sum(s) of pesticides based on mode of action.
  We can be flexible on the deadline for the development of the list of non-relevant metabolites for GW as long as this delay will be reasonable. The list shall be available no later than twelve months after the entry into force of this Directive.

- **PFAS**
  We are glad that the council agreement with the dynamic reference to the drinking water directive is retained.
  We can be flexible to add TFA to the list of PFAS for surface water and introduce a specific QS for TFA in Annex I for groundwater. However we believe the proposed QS for groundwater is strict in comparison with the health recommendations for drinking water. We advise the presidency to reconsider this QS and we refer to the work done on TFA by the German authorities (https://www.umweltbundesamt.de/sites/default/files/medien/479/publikationen/hgp_reducing_the_input_of_chemicals_into_waters.pdf )
  We can agree with the proposal to monitor total PFAS based on the guidelines developed for drinking water, however we believe these methods are not suitable yet. We support to include total PFAS on the placeholder list.

- **Bisphenols**
  We can agree to put sum of Bisphenols as a placeholder in Annex III
  However, taking into account the costs of the monitoring program as well as the specific provisions in Article 8b of the priority substances directive on the Watch list which is specifically set up to gather Union wide monitoring data for the purpose of supporting future prioritization exercises, we believe the Watch list procedure is the right way to gather information on Bisphenol B and Bisphenol S instead of monitoring them as River Basin Pollutants. But taking into account that this recommendation is only in the recitals, this proposal can be accepted.

- **Summary of the Total/ Sum compromise proposal**
  - 'sum of bisphenols',
  - 'sum(s) of selected pesticides by mode of action',
  - 'sum(s) of selected pharmaceuticals by mode of action'.

  We can accept the proposal to reintroduce annex 3 to the EQSD and put these sum parameters as a placeholder on this list.

4. **Reporting cluster**

| | |
|---|---|
| **IED and energy transition related reporting** | **179a, 253-254, 257-261, 321a** |

**Reporting cluster**: New proposals can be accepted

**Final comment:**
**Although the compromise proposals are certainly a step in the right direction, there are still a number of issues that need to be revised with a view to reaching a final agreement.**
**There will be no agreement until there is agreement on the whole package. The decision-making procedure (we disagree with delegated acts) and the deadlines are also part of the package and still need to be discussed.**

# BULGARIA

**comments on the compromise proposals on Priority Substances Directive, as set out in doc.WK 7085/25REV1**



Bulgaria thanks the Presidency for its efforts to advance the negotiations on this technically very complex and, at the same time, highly ambitious dossier. Due to the short timeframe, we enter a general scrutiny reservation on the entire document.

We reaffirm our country's horizontal position that achieving an agreement within short deadlines must not come at the expense of the quality of the legislative act. This is particularly relevant in the current context, where recently adopted legislative acts are already subject to omnibus revision packages aimed at simplification. Therefore, we consider it appropriate the negotiations to be as long as necessary in order to ensure the adoption of an implementable legislative act.

Additionally, we would like to reiterate that maintaining the ordinary legislative procedure for the inclusion of new substances and the introduction of stricter standards remains a red line for Bulgaria.

As regards elements not covered in the Presidency's note, Bulgaria wishes to reconfirm its opposition to replacing the ordinary legislative procedure with delegated acts with regard to introduction of new substances and standards and to the shortening of the periods for review and transposition. We also confirm our position regarding transboundary cooperation, as expressed in COREPER on 14 May 2025.

**Comments on individual elements of document WK 7085/25 REV 1:**

**1. Monitoring Cluster**

- **Effect-based monitoring – lines 21, 305–307**

Despite the safeguards proposed by the Presidency, Bulgaria prefers to keep the voluntary nature of effect-based monitoring, as per the Council mandate, due to concerns over high costs and limited capacity.

**2. Horizontal Issues**

- **Definitions – lines 52, 57a, 59**

Given our preference for keeping the voluntary nature of effect-based monitoring and considering the need for Member States voluntarily applying such monitoring to make use of trigger values, Bulgaria can support the proposed approach regarding definitions—i.e., adding a definition of "Effect-based threshold trigger value" and including trigger values in the definitions of "good chemical status" and "Environmental Quality Standard (EQS)."

- **GW ecosystems / ecological status of GW and Areas of special concern and high ecological values – lines 67a–b, 149a, 154a–b, 176, 195b–g**

Bulgaria appreciates the Presidency's efforts to find a compromise on the sensitive issue of GW ecosystems, which is a key concern for the European Parliament. We view positively the proposed approach, whereby stricter standards would be applied by Member States based on a methodology developed by the Commission for assessing the presence of such ecosystems, "where appropriate" and "where necessary."

However, we see a need to provide Member States with sufficient time to implement this methodology. In our view, the provision for stricter standards should become applicable at least 24 months after the Commission publishes the relevant methodology.

Bulgaria supports the Presidency's position not to accept the European Parliament's request that the stricter standards should be a multiplication by ten.



- **Non-deterioration and exemptions – lines 57b, 63a–d, 65c–e, 67c–u**

Bulgaria thanks the Presidency for the compromise proposals on non-deterioration and exemptions. However, our analysis indicates that they do not offer the necessary realism and flexibility. Therefore, we reiterate that preserving the approach to non-deterioration and relevant exemptions as set out in the Council mandate is a red line for Bulgaria.

- **Access to justice – lines 106d–106k**

Bulgaria thanks the Presidency for its efforts to reach a compromise with the European Parliament, in particular the proposal to use a provision analogous to the one recently adopted in the recast of the UWTD. Nonetheless, we maintain our position that such provisions are outside the scope of the legislative proposal. Access to justice is already sufficiently guaranteed by other EU legislation.

- **Extended Producer Responsibility (EPR) – lines 195h–j, 195q, 329a–c, 329j**

Bulgaria reiterates its strong opposition to the amendments related to EPR. We consider it highly challenging to require businesses to contribute to the costs of monitoring the substances they release into the environment. EPR would place an additional financial burden on businesses. These EP amendments are beyond the scope of the legislative proposal.

Furthermore, we wish to recall that a series of actions have been lodged before the Court of Justice of the EU challenging the legality of the EPR provisions in Directive (EU) 2024/3019 on urban wastewater treatment. Bulgaria confirms its position regarding the significant challenges and potential negative impacts of Directive (EU) 2024/3019, including concerns over possible price increases and/or reduced availability of medicinal products for Bulgarian patients. We also highlight the need for an objective assessment by the Commission of the actual financial burden on producers and Member States, the need to monitor the impact on access to medicines, and the necessity for timely revision and updating of the Directive, including its inclusion in an "omnibus" package.

**3. Substances Cluster**

- Synthetic substances (repository)

Bulgaria can show flexibility on the compromise proposals.

- **Deselection of substances**

Bulgaria can in principle show flexibility regarding the reintroduction of certain substances into the watch list, including the proposed reintroduction of Atrazine (4) at the Commission's request. However, a monitoring-based approach should be considered, whereby reinclusion of pollutants depends on data collected by each Member State. For example, in the past six years, Cyclodiene pesticides (9A) as well as DDT and para-para DDT (9b) have not been detected in Bulgaria's surface waters; hence, their monitoring would only be necessary in soils and sediments.

- **Pharmaceutical substances**

Regarding groundwater, Bulgaria has no objection to the proposed threshold value of 2.5 µg/l for individual pharmaceutical active substances.

As regards surface water, Bulgaria can in principle show flexibility concerning the approach to introduce EQS values for total sums of pharmaceutical substances selected primarily based on their mode of action in the next review.

- **Pesticides**

Bulgaria enters a scrutiny reservation to further clarify the selection method for the pesticides used in determining the sum(s) of selected pesticides by mode of action. We can be flexible on extending the deadline for the Commission's obligation to prepare the list of all relevant and non-relevant pesticide metabolites from 6 to 24 months, provided that the text includes sufficient implementation time for Member States following the publication of the list.

- **PFAS**

Bulgaria considers that the term "a subset of specific PFAS" to be added to the groundwater pollutant list and to the surface water priority substances list needs to be clarified – specifically how the subset will be selected and what its implications will be for setting the EQS.

- **Bisphenols**

Bulgaria does not object the introduction in the next review of EQS for 'Bisphenols Total' or at least of 'Sum of Bisphenols' – including at least Bisphenol-B and Bisphenol-S, provided appropriate monitoring methods are available.

- **Summary of compromise proposal on Total/Sum – (Annex 9 (new) in doc.WK 7085/25REV1)**

**Annex III – Substances subject to review for possible identification as priority or priority hazardous substances**

In addition to the points raised under Pesticides, Bisphenols and Pharmaceuticals, Bulgaria would like to point out that the monitoring of sums of bisphenols, pesticides and pharmaceuticals selected by mode of action will be very challenging. The proposal is too general; substances have not been selected; it is unclear whether there will be a unified analytical method to determine the sums; and no EQS values have been established.

- **Deselection (Annex 8 in doc. WK 7085/25REV1)**

Bulgaria can show flexibility, as we support the approach whereby deselected substances become specific pollutants, and Member States retain the right to decide on monitoring them independently.

**4. Reporting Cluster – lines 179a, 253-254, 257-261, 321a (Annex 10 in doc. WK 7085/25REV1)**

- **Reporting related to the Industrial Emissions Directive**

Bulgaria enters a scrutiny reservation on the proposals, including with regard to the capacity of the national geo-information system for water management and reporting.

**CZ comments to document (6. 6. 2025)**

***Priority Substances in Water: Follow-up to the WPE on 2 June 2025***



# 1. Monitoring cluster

CZ prefers voluntary, not mandatory, use of EBM.

The possible use of EBM is preferred for monitoring substances from the Watch List, not for classification of the chemical status of surface water bodies.

**CZ Flexible**

# 2. Horizontal issues

**a) CZ agrese**

**b) The current regulation is acceptable. Stricter limits will only be applied where GW ecosystems are present, and there is no requirement for them to be 10 times stricter. The only disadvantage is that the Commission will develop a methodology for identifying GW ecosystems, and Member States will assess their presence accordingly. We request that the methodology be developed in cooperation with the GW group or that the GW group have the opportunity to comment on the methodology.**

**c) The issue of exemptions and non-deterioration is a red line for us in any case. In our opinion, the newly proposed tightening, or rather restriction, of the application of exemptions is disproportionate and would make exemptions too difficult to apply. Exemptions are designed to help respond to the problems faced by Member States. Details on the individual parts of the proposal:**

- Preamble, point 14d: we agree.

- Preamble, point 28: we agree.

- Article 4.7a

o This exception for short-term and temporary deterioration must apply to both chemical and ecological status/potential. We therefore disagree with the deletion of the words "one or more quality elements" and the focus of the article solely on chemical status.

o Given the frequency of monitoring of biological indicators, we disagree with the deletion of the text "or maximum three years for the biological quality elements." One year is too short a period.

o Letter b) - We disagree with the new condition. This additional condition is not proportionate to short-term and only temporary deterioration. It would require too many resources.

o Letter c) - We agree

o Letter d) - We disagree with the proposed changes. The requirement for scientific evidence is again disproportionate to a short-term, temporary deterioration. We again request that the biological indicators be reinstated.

o Letter e) - We disagree with the new condition.

- Article 4.7b

o Letter a) - We agree

o Letter b) - We disagree with the deletion of the word "significantly." In that case, the exemption would not serve its purpose and would be too strict.

o Letter c) - We disagree with the changes. The entire exception relates to deterioration due to the relocation of water or sediments, i.e., as a result of the transport of pollution. It therefore concerns the chemical status, not the ecological status. This revision of the WFD also includes the transfer of specific pollutants to the chemical status, so there is no reason to mention the ecological status. At the same time, it is disproportionate and illogical to limit the use of the exception only to bodies in a certain status.

o Letter d) - We disagree with the new condition. At this point, the potential impact of including the new condition is unclear. Therefore, as a precautionary measure (as other countries have done), we do not support this new letter.

o Letter f) - We disagree with the deletion of the word "significantly." The original wording is in line with the text of Article 4(5)(a) of the RSV.

**d) CZ can show flexibility towards the EP position, as long as the wording stays in line with other environmental directives.**

**e) CZ can support a study to be conducted on possibilities of EPR.**

## 3. Substance cluster

b)

**Atrazine (4)** – CZ meets EQS values for this substance. It doesn't matter if this substance will be included in PS list or RBSPs.

**CZ agrees**

**Benzene (5)** - Although CZ has no problem with this substance in the classification of the chemical status, we agree with keeping this substance on the list of priority substances; it can remain, it is handled in significant quantities in the Czech Republic (e.g. serious accident in Hustipeče at the end of February 2025)

**CZ agrees**

**Cyclodiene pesticides (9A) and DDT (9B) –** these substances are not PS now, but other pollutants for classfication of chemical status.

CZ demands their designation as priority substances

**CZ Flexible**

**1,2 Dichloroethane (10) and Dichloromethane (11)**

These substances are volatile organic compounds. These do not exceed the EQS in any representative profile in CZ. We agree with the original proposal, when the JRC proposed substances to be removed from the list of priority substances based on the results of their decreasing importance in surface waters. We prefer to keep them as RBSPs.

**CZ Flexible**

**Isoproturon (19**)– CZ agrees to keep this substance on the priority list. A few profiles had not good chemical status in the past.

**CZ agrees**

Considering that it is proposed to include RBSP in the assessment of chemical status, it does not matter in principle which group these substances will be in. However, according to Article 16 of the Framework Directive, which probably will be revived, there are stricter restrictions for priority substances in terms of emissions, leakages and discharges, therefore it will be more advantageous for substances of lesser importance to be included in the list of specific pollutants.

**c) Pharmaceuticlas**

**surface waters**

CZ agrees to include the sum of medicines as a priority substance **in the next review of this list**.

CZ prefers the use of EBM as voluntary, not mandatory (see 1st monitoring cluster).

It must be clearly stated which pharmaceutical substances will be included in the sum of medicines – whether those that are priority substances or all monitored medicinal substances.

**CZ Flexible**

**d) Pesticides**

CZ agrees to include the sum of pesticides as a priority substance **during the next review of this list**.

CZ welcomes the fact that the sum of pesticide sis related to the pesticides inluded in the PS list. CZ also welcomes the fact, that substances under numbers 16, 30, 34, 44 and **glyphosate are not included** in this sum.

**CZ Flexible**

**e) PFAS**

**SW:** CZ has long demanded that monitored substances from the PFAS group and their EQS or threshold values be the same in EQSD and GWD.

This was included in the original proposal by the EC.

Gradually, differences arose between the GWD and EQSD.

**GW:** PFAS are only described in general terms. It is not clear whether the proposal will revert to the sum calculated for RPF (relative potency factors), which we would welcome, or whether it will be calculated purely as a sum. In general, it can be said that developments are moving in the right direction.

**CZ Flexible**

**f) Bisphenol**

CZ agrees to include sum of bisphenols

**CZ agrees**

**g) Summary of the Total/ Sum compromise proposal**

CZ prefers, that the Annex III should be included in EQSD during a further review of the substance cluster listed in Chapter 3 of the current Presidency Steering Note c), d), e), f). (bisphenols, pesticides, pharmaceuticals, PFAS).

CZ agrees to include these summary indicators in the next review of EQSD.

**CZ Flexible**



**CZ comments to the Annex VIII**

**(37) Dioxins and dioxin-like compounds:**

According to note 6) below the table, the EQS for biota applies to fish, crustaceans and molluscs for these substances.

According to Commission Regulation 1259/2011, this is relevant mainly for coastal states,.

For fresh waters in the CZ, this is applicable mainly on fish ? Or in the CZ should be also monitored all three types of biota (in relation of those substances)?

**(65) PFAS:**

Note 27) concerning to this PL is proposed to be extended to include TFA. According to initial findings, the concentration of TFA in surface waters may be significant both from primary sources and from possible decomposition of PFAS with a longer carbon chain. However, given the RTF factor of 0.002, the increase in the EQS for the sum of 25PFAS of 4.4 ng/l should not be dominant. TFA is currently the subject of great interest.

We propose to accept the proposal for addition. However, it should be mentioned that monitoring costs will increase, because according to current knowledge, TFA is analyzed in a separate method from the other 24 PFAS (different column and mobile phase).

**Recital 8a (EP mandate)**

**CZ fundamentally disagree with EP proposal to the EQS for glyphosate of 0.1 micrograms/l for all surface waters.**

The fundamental danger to human health is that this is addressed by the EQS of 0.1 micrograms/l being set for surface waters intended for abstraction for drinking water treatment.

**CZ agrees with this EQS 0.1 micrograms/l (surface waters waters intended for abstraction for drinking water treatment) as proposed in Annex VIII.**

The toxicity of glyphosate to aquatic organisms is much lower. The recital should be discussed and amended in this sense. If the EQS of 0.1 micrograms/l were to apply to all water bodies, this would result in 20 to 50% of water bodies failing to achieve good chemical status.

**CZ RED LINE**

**4) reporting cluster**

**NEW annex 10 – inventories (IED)**

**CZ Flexible, but scrutiny reservation**

**CZ requires detailed clarification**

**GERMANY**

**Water Package (2000/60/EC, 2006/118/EC, 2008/105/EC) revision**
**Written comments on WK 7085/2025 REV 1 after WPE of June 2nd 2025**

Please note our following observations on the different clusters and topics.

**Cluster 1 Monitoring**

a) Effect-based monitoring (EBM)
   - Approval of the proposal. DEU red line (delegated acts) was taken into account. The found solution, which provides for a trial application of EBM separate from the status assessment, will enable a practical test of the EBM.

**Cluster 2 Horizontal issues**

a) Definitions
   - Approval of the proposed compromise. The regulations on Effect Based Trigger Values follow the Council mandate.

b) GW ecosystems / ecological status of GW and Areas of special concern and high ecological values
   - Approval of the proposals. The negotiated compromise does not contain any regulations for status criteria for groundwater ecosystems or for legislative proposals of the COM, as previously requested by the EP.

c) Non-deterioration clause & exemptions
   - DEU reiterates that maintaining the definition and exemptions is a red line for DEU. COM and EP call for stricter requirements, which would make the application of the exemptions too complicated and disproportionate. The aim of these exemptions must remain the solution of practical problems of the MS in the implementation of the WFD.
   - Questions on the proposal to **amend recital 14d**: The addition is not comprehensible. Where does the recital or the exception in Article 4.7b (new) state that it is only about the transfer of ubiquitous substances? And why does the amendment only address groundwater?
   - Approval of the **amendment to recital 28a**
   - **On the amendments to Article 4.7a (new) WFD**
     DEU rejects the following amendments:
     - **Restriction to chemical status is rejected**: This exception is also about the ecological status. Both can deteriorate in the short term, e.g. during the construction phase of renaturation measures. This is why the original proposal spoke of “one or more quality elements”,

which includes both statuses. Please add “ecological status or ecological potential” to “chemical status”.

- In the case of short-term deterioration in **biological quality elements that need to be reintroduced** (see above), the period is often longer than one year because they react more slowly. A **compromise could be 2 years** instead of 3 years as in the original proposal.
- **The addition in b) new (“there are no better environmental options...”) is rejected**, it makes no sense with this exception. This is only about temporary deterioration. It cannot be linked to an assessment of alternatives for new projects or changes to existing projects. That would be disproportionate.

Approval of the **amendment to Article 4.7a c)**

Rejection of the **amendment to Article 4.7a d)**: An ex ante assessment based on scientific evidence is disproportionately costly in the case of temporary deterioration. The procedure must be practicable and unbureaucratic. And the previous text on the biological quality elements must be reintroduced (see above for reasons).

Rejection of the **addition in 4.7a e)**: An ex ante assessment is already being carried out (Art. 4.7a d). An additional subsequent ex post verification cannot result in there being a deterioration after all. In this respect, this is just a bureaucratic burden to be avoided.

- **On the amendments to Article 4.7b (new) WFD**

  Approval of the amendment to **Article 4.7b a)**

  Rejection of the deletion of “significantly” in **Article 4.7b b)**: The exception must provide the necessary leeway, otherwise it is hardly applicable in practice. The other conditions must also be complied with, which is already demanding enough.

  Rejection of the additions to the ecological status/potential in **Article 4.7b c)**: This is about the relocation of substances. In future, the chemical status will also include the river basin-specific substances that were previously relevant for the ecological status.

  Scrutiny reservation regarding the addition of the new **Article 4.7b d)**: In DEU, too, drinking water is obtained from large rivers (mostly bank filtrate) in which dredging occurs, inter alia. Rejection of the deletion of “significantly” in **Article 4.7b f**): This is a common wording for exemptions in the WFD, see Article 4.5 WFD. The assessment of alternatives cannot be arbitrarily broad. And the WFD must remain legally consistent.

d) Access to justice
   - Scrutiny reservation, Germany will give feedback asap

e) Extended producer responsibility
   - DEU rejects extended producer responsibility (EPR) for monitoring (**red line**). The expected administrative burden would be disproportionate to

the costs of monitoring and would lead to an unreasonable burden on the affected producers.

**Cluster 3 Substances**

a) Synthetic substances (Repository)
   - Approval of the proposed amendments to Article 3 and Annex II Part D of the GWD as described in Annex 7 of the Steering Note.
   - Request for clarification on primidone and "Individual pharmaceutical active substances" in Annex 7 and Annex 9 of the Steering Note.
     - Annex 7 lists primidone in Annex II Part B GWD (supported by DEU), while Annex 9 lists in in Annex I GWD (not supported by DEU as Primidone is not conspicuous in groundwater in DEU)
     - Annex 7 lists "Individual pharmaceutical active substances" in Annex II Part B GWD, but does not provide explanations

b) Deselection of substances and Changes of Annex I EQSD
   - Approval of the proposal to reintroduce DDT, para-para-DDT and the other substances, including atrazine. DDT continues to pollute sediments in some waters and harbors due to persistent emissions in some international river basins. The proposed approach for the other substances mentioned can also be approved.
   - Approval of the deletion of footnote 31.
   - Approval of the change to footnote 33 with the following changes: *The minimum performance criteria laid down in Directive 2009/90/EC apply to each individual substance within the group of substances, ~~while~~ taking **into** account ~~of~~ the need to quantify the contribution of each substance to the total concentration for comparison with the EQS*
   - Change of freshwater-EQS of Nr. 17 – Hexachlorobutadiene:
     - What is the rationale behind the revision? AA-EQS in freshwater not according to the EQS Dossier: 4.3 x 10-3 µg.l-1 (freshwater fish); 9.5 x 10-4 µg.l-1 (marine waters fish)
     - https://circabc.europa.eu/ui/group/9ab5926d-bed4-4322-9aa7-9964bbe8312d/library/76cf8f54-b4d6-4526-acfc-f9bf31405157?p=1&n=10&sort=modified_DESC
     - Please use the EQS from the EQS-Dossier

c) Pharmaceuticals
   - Approval of the proposal for groundwater regarding the sum quality standard of 2.5 µg/l proposed by the COM, as well as the quality standards for carbamazepine and sulfamethoxazole and the proposed procedure regarding a standard for pharmaceutical total.
   - Request for clarification on primidone in groundwater (see above under a))
   - Approval of the proposal for surface waters as a compromise.

d) Pesticides
   - Partial approval of the proposal regarding a sum parameter for the list of pesticides in Annex I EQS Directive as a proxy for cumulation/mixing effects. In our view, the proposed sum parameter for pesticides has significant technical shortcomings, and we therefore cannot totally support its inclusion. It aggregates substances with fundamentally different modes of action into a single value, which undermines its scientific validity. For highly toxic insecticides such as pyrethroids and neonicotinoids, the proposed threshold of 0.1 µg/L offers no additional benefit for water protection, while for certain substances, such as aclonifen, it would impose a stricter limit than the established substance-specific EQS. As such, this parameter is not suitable for the planning and implementation of risk-reduction measures, nor for the review of authorisations under the framework of plant protection products. By contrast, a sum parameter of this nature could be considered – as is the case for glyphosate – solely for targeted monitoring of water bodies used for drinking water abstraction and treatment, but it should not be integrated into the routine assessment of water status.
     - We support the setting of sum-EQS values for pesticides with the same modes of action.
   - Approval of the proposal for a COM review of the quality standards in the GWD.
   - Flexibility regarding the Council mandate's deadline of 6 months for the COM to define the list of non-relevant metabolites by implementing act.

e) PFAS
   - Approval of the expansion of EQS Directives's Sum of 24 PFAS to Sum of 25 PFAS by including TFA in this quality standard.
   - Approval of the proposed new quality standard for TFA in groundwater.
   - Approval of a possible introduction of PFAS Total EQS for surface waters and for groundwater after the next review.

f) Bisphenols
   - Approval of the proposal to list bisphenol-A in Annex I of the EQS Directive in accordance with the original COM proposal. The values should follow the Council mandate.
   - Approval of the proposal for a procedure regarding a quality standard on "Bisphenols total" or "Sum of bisphenols" in the EQS Directive.
   - Approval of the proposal for a procedure on bisphenols in the GWD.

g) Summary of the Total/ Sum compromise proposal
   - Approval of the proposed approach for Annex III EQS Directive.
   - For the other aspects summarized here, see above under c)-f).

**Cluster 4 Reporting**

- Approval of the changes made to Article 5 of the EQS Directive, as they are more straightforward and clear.

# ESTONIA

## PRIORITY SUBSTANCES IN WATER DIRECTIVE 2022/0344(COD)

**1. Monitoring cluster:** Effect-based Monitoring – do not agree. Should be voluntary. Increases monitoring burden and is financially burdensome.

**2. Horizontal issues:**

- **GW ecosystems / ecological status of GW and Areas of special concern and high ecological values:** flexible
- **Non-deterioration clause & exemptions:** do not agree. It is important to maintain flexibility. We do not agree that the use of Article 4.7.a solely for chemical status restricts national development. One year is too short a timeframe and should be three years.
- **Access to justice:** flexible
- **Extended producer responsibility:** we have some reservations: establishing the system, making it operational, maintaining its functionality, among other issues, increases bureaucracy and funding requirements. Implementation of the system may significantly increase costs for end consumers.

**3. Substances cluster:** Generally, we are flexible, but we emphasize that this significantly increases obligations and consequently there must be flexibility that takes into account local conditions and burdens.

- **Synthetic substances (Repository):** flexible
- **Deselection of substances:** should be preceded by screening that takes local conditions into account
- **Pharmaceuticals:** flexible
- **Pesticides:** substances to be added should be selected according to their impact on biota.
- **Bisphenols:** flexible
- **PFAS:** flexible

**IRELAND**

comments regarding the Priority Substances in Water Directive – 6th June 2025

1. **Monitoring Cluster**

| Issue | 4-column row no. | Comment |
|---|---|---|
| **Effect based monitoring** | 21, 305-307 | The amended text is noted.<br><br>Ireland does not currently have expertise in this discipline so the set-up of an EU joint monitoring facility would be very beneficial for us to be able to deliver on the use of effect-based methods. |

2. **Horizontal issues**

| Issue | 4-column row no. | Comment |
|---|---|---|
| **Definitions** | 52, 57a, 59 | Compromise text noted |
| **GW ecosystems / ecological status of GW and Areas of special concern and high ecological values** | 67a-b, 149a, 154a-b, 176, 195b-g | Many of the elements included in the EP proposed text in line 176 are almost impossible to deliver for groundwater.<br><br>The compromise text is noted & the line regarding the Commission working with MSs under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology is welcomed.<br>We support the rationale and additional text that states that the requirement for monitoring will only come into being where a "reliable methodology is available to assess the presence of groundwater", however, I would like to note that our concerns regarding ability to deliver remain. |
| **Non-deterioration clause & exemptions** | *57b, 63a-d, 65c-e*, 67c-u | We must acknowledge the wider considerations regarding exemptions under Article 4 of the Water Framework Directive that are currently underway and that there is a general lack of flexibility therein. Currently the situations/works that require use of the non-deterioration clause and the related exemptions are not something that we have experience of in Ireland but it may become an issue for us in the future so we must give it serious consideration.<br>The extra conditions listed under the exemptions appear to be very restrictive and difficult to apply. Therefore, we support the Belgians and the Dutch in their concerns. |
| **Access to justice** | 106d – 106k | Compromise text noted |

| | | |
|---|---|---|
| **Extended producer responsibility** | 195h–j, 195q, 329a-c, 329j | As mentioned at previous WPE meetings, we support the principle of this but have to acknowledge that, if the assessment concludes that extender producer responsibility should apply, it will be very difficult to implement. |

**3. Substances Cluster**

| **Issue** | | **Comment** |
|---|---|---|
| **Synthetic substances (repository)** | GWD, Annex II, part | **Deselection of substances EQSD Annex I and II:**<br>The substances identified for re-insertion into the surface water priority substances list are not causing chemical status failures in Irish inland surface waters. We do not currently monitor many of these substances in rivers and lakes as they have been assessed to be of low/no risk. If they are retained on the list, there will be a significant associated cost for monitoring and assessment.<br>There is also a significant resource requirement and cost associated with the new substances being added to the priority substance list. If substances are almost always retained on the priority substances list, and more are added at each review, then it dilutes the resources that can be made available for the newer substances, or other substances that are of more serious concern.<br>Substances identified for removal from the list should be removed from the list, and they should be identified by member states as River Basin Specific Pollutants where relevant.<br><br>**Sum/Total proposals:**<br>A single monitoring method and EQS for 'Total pharmaceuticals' does not seem to make scientific sense, as they are a very large group of different types of substances with widely different ecotoxicological impacts on aquatic ecosystems.<br>'Sum of selected pharmaceuticals' may make sense, but it would likely need to be based on the relative toxicity of a |
| **Deselection of substances** | EQSD, Annex I and II | |
| **Pharmaceuticals** | 18, 18a – h, 21, 211c, 212a, 292 a-b | |
| **Pesticides** | | |
| **Bisphenols** | | |
| **PFAS** | | |

| | | |
|---|---|---|
| | | groups of similar pharmaceutical substances only.<br>There is no available, suitable, and reliable method for the quantification of 'Total PFAS' in surface waters. Setting of an EQS for such a parameter in surface waters does not make scientific sense at this point.<br>An EQS for 'Sum of Bisphenols' would be preferred over 'Total Bisphenols'.<br>As noted before, we do not have current expertise or capacity in Ireland to carry out EBM for the estrogen compounds. There will be a cost and resources impact on Ireland for implementing an EBM monitoring programme for the estrogens as this is not an analytical chemistry technique, but instead falls under the heading of microbiology. |

**4. Reporting Cluster**

| **Issue** | **4-column row no.** | **Comment** |
|---|---|---|
| **IED and energy transition related reporting** | 179a, 253-254, 257-261, 321a | It would be logical, and helpful, if the updated priority substances list was reflected in the list of substances that are required to be reported under PRTR to the Industrial Emissions Portal |

# SPAIN

# REVISED PRESIDENCY STEERING NOTE

**AFTER THE WORKING PARTY ON THE ENVIRONMENT (WPE) – 2 June 2025 (pm)**

**PRIORITY SUBSTANCES IN WATER DIRECTIVE 2022/0344(COD)**

1. **Monitoring cluster:**

| | |
|---|---|
| **Effect based Monitoring** | **21, 305-307** |

2. **Horizontal issues:**

| | |
|---|---|
| **Definitions** | **52, 57a, 59** |
| **GW ecosystems / ecological status of GW and Areas of special concern and high ecological values** | **67a-b, 149a, 154a-b, 176, 195b-g** |
| **Non – deterioration clause & exemptions** | *57b*, 63a-d, 65c-e**, 67c-u** |
| **Access to justice** | **106d – 106k** |
| **Extended producer responsibility** | **195h–j, 195q, 329a-c, 329j** |

3. **Substances cluster:**

| | |
|---|---|
| **Synthetic substances (Repository)** | **GWD, Annex II, part D,** |
| **Deselection of substances** | **EQSD, Annex I and II** |
| **Pharmaceuticals** | **18, 18a-h, 21, 211c, 212a, 292a-b** |
| **Pesticides** | |
| **Bisphenols** | |
| **PFAS** | |

4. **Reporting cluster:**

| | |
|---|---|
| **IED and energy transition related reporting** | **179a, 253-254, 257-261, 321a** |

1. **Monitoring cluster:**

For the **monitoring** cluster, one issue was discussed and prepared as a compromise proposal, namely the **Effect based monitoring**. The Presidency propose to make concession towards the Parliament in this regard and accept the mandatory EBM in order to allow the Commission to collect sufficient data, but at the same time to introduce several safeguards, including: guaranteeing necessary time for the preparations and the exclusion of data collected by this method during the 2 years period from the assessment of status at the end of the 6 years cycle during which this 2 years monitoring will take place. In addition the follow up clause was added. (See annex 1).

2. **Horizontal issues:**

a) A package on **definitions** is proposed (see annex 2).

b) **GW ecosystems** (ecological status of GW and Areas of special concern and high ecological values).

Presidency proposes a compromise based on the Council mandate, tasking the Commission to develop methodology to assess the presence of groundwater ecosystems, adding a precision that such ecosystems should be looked for in the areas where their presence can be expected. Once found, a stricter standards should be applied for their protection. Presidency compromise text (see annex 3) **does not** include Parliament's request that the **stricter standards should be a multiplication by 10**. The Presidency would, however, appreciate to hear the Member States position on this particular issue as the guidance for further negotiations, as it is an important element for the Parliament.

**c) Non – deterioration clause & exemptions**

The compromise proposal is based on the Council mandate, however several additional safeguards have been added (see annex 4). The Presidency is still working on adding additional precisions to the text, at the request of the Parliament.

**d) Access to justice**

The Presidency suggests some flexibility towards the Parliament on the access to justice provision, as a part of the compromise package and depending on the outcome of negotiations on other elements in this package. The Presidency, however, maintains its position, that it is a horizontal issue and should be therefore maximally harmonised with existing law.
In the compromise proposal we suggest therefore, to base the provisions in this Directive on already adopted provisions included in the Urban water waste treatment Directive (see **updated version** in annex 5).

**e) Extended producer responsibility**

The Presidency suggests some flexibility towards the Parliament on the Extended producers responsibility and to include a part of the Parliament's amendment to the final compromise text, tasking the Commission to assess the feasibility of including the EPR mechanism to this Directive and to prepare a report on that issue (see annex 6).

## 3. Substances cluster:

**a) Synthetic substances (Repository)**

Several changes, including an addition of footnote, have been made to the annex II parts B & D of the Groundwater Directive (see annex 7). The content of the table is not a part of the pre-agreed text at the technical level and should be discussed separately.

**b) Deselection of substances** (please see annex 8)

After the exchange on technical level, it is proposed to keep as deselected substances nr 31 (Trichlorobenzene) but to reinsert:

- Atrazine (4) – **change to the steering note at the Commission's request**
- Benzene (5) – as it is a genotoxic carcinogen, still in widespread use.
- Cyclodiene pesticides (9A) – Covered by Stockholm Convention on POPs.
- DDT and para-para DDT (9b) - Covered by Stockholm Convention on POPs.
- 1,2 Dichloroethane (10) - as it is carcinogenic, there is no safe threshold, and substance is still in use. It is problematic for drinking water.
- Dichloromethane (11) - As it is carcinogenic and still in use, and still causing failures.
- Isoproturon (19) - Still causing several failures; need to be sure that downward trend occurs following EU non-renewal, in case of illegal use/emergency use.

ES Comments: Regarding the procedure for the deselection of substances, Spain wishes to highlight its importance and the need to promote these flexibility mechanisms in the application of the EQSD. It should be encouraged that, once it has been assessed that a substance no longer poses a concern at the European level (following the adoption of appropriate measures, if needed), Member States may include them in the list of river basin specific pollutants if they still represent a real issue at the local or regional level.

In this regard, the decision to maintain Trichlorobenzene in the annex of deselected substances is approved. However, it is not understood why the following substances are being reinserted into Annex I of the EQSD: Atrazine (4), Benzene (5), Cyclodiene pesticides (9A), DDT and p-p DDT (9b), 1,2 Dichloroethane (10), Dichloromethane (11), and Isoproturon (19).

**c) Pharmaceuticals**

Pharmaceutical substances for both surface- and ground waters are part of the compromise **proposal of total/sums**.

In **groundwater**, the cumulative risk from pharmaceuticals should be addressed by setting a quality standard **for the sum of a larger number of selected pharmaceuticals** identified during that watch-list monitoring. The sum shall apply to the sum of the following active substances: *carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone and iopamidol*. **The QS for sum of pharmaceuticals** is still to be discussed, but in the recent Commission's compromise proposal it is suggested to be **2,5,** as it is proposed by the Council for the **individual pharmaceutical active substances** in annex II part D.

In **surface water**, estrogenic pharmaceuticals should be addressed by effect-based monitoring. The Commission should also **consider setting standards for the sum(s) of selected pharmaceuticals, preferably based on mode of action, at the next review.** The compromise foresees therefore **a placeholder for this sum in Annex III** to the Directive 2008/105/EC that is to be re-established.

For the future review, the Commission shall also asses the **possibility to set a standard for the pharmaceutical total for the surface and ground water,** supported by an appropriate monitoring method.

ES Comments: We have reservations about establishing a QS in groundwater for the sum of the identified pharmaceutical substances (carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone, and iopamidol), and we doubt that this summation allows for an accurate assessment of the cumulative risk of these substances. The Commission's proposal to set the QS at 2.5 lacks any scientific basis.

Regarding surface waters, Spain would like to point out that the EBM for estrogenic substances should be on a voluntary basis, as it represents a comprehensive change in the monitoring strategy for this type of substances and, at present, introduces new uncertainties that hinder monitoring and the implementation of control measures to reduce the environmental concentration of these substances.

In any case, Spain shows flexibility regarding the adoption of these summations and considers their inclusion in Annex III to the EQSD as a "holding place" for substances which should be considered for inclusion in the priority substances list at the next review, as proposed later in point (g) of this note.

**d) Pesticides**

Pesticides are part of the compromise **proposal of total/sums**.

To try address the cumulative risk in the **EQSD**, as the total pesticides attempts to do so in the GWD, an **EQS should be set for the sum of the pesticides** that are already included in the list of priority substances to be monitored in water, and that EQS should be taken into

account when assessing chemical status. To take better account of mixture risk in the future, the Commission will consider setting standards for the sum(s) of a larger selection of selected pesticides than those currently included in Annex I, preferably based on mode of action, at the next review; for this reason **'sum(s) of selected pesticides by mode of action'** should be **added to Annex III** to Directive 2008/105/EC. For the next review, the Commission will also consider setting a total pesticides EQS in surface waters, supported by an appropriate monitoring method.

Another issue concerning the pesticides is the request for the Commission to establish **a list of non-relevant metabolites of pesticides** for the Groundwater Directive. The Presidency asks Member states to show some flexibility regarding this issue in terms of deadline put on the Commission in the Council mandate, as the deadline of 6 months has been considered as non-feasible given the need to take into account also the coherence with pesticides and drinking water legislation.

ES comments: As in the previous case (pharmaceuticals), we are not convinced that summing pesticides is an appropriate approach to assess cumulative risk, nor that a corresponding QS should be established and considered in the chemical status assessment. Nevertheless, showing some flexibility on this matter, we do not oppose the inclusion of the 'sum(s) of selected pesticides by mode of action' in Annex III to the EQSD (point g).

Regarding the list of non-relevant metabolites of pesticides for the Groundwater Directive, we maintain the 6-month deadline as included in the Council mandate, since it is not feasible to extend the timelines if we are to measure, analyse, evaluate, propose measures, and achieve good status of water bodies by 2027 at the latest.

**e) PFAS**

PFAS are part of the compromise **proposal of total/sums**.

**A subset of specific PFAS should be added** to the list of groundwater pollutants and to the list of priority substances in surface waters. Member States are **encouraged to monitor PFAS Total in groundwater and surface water** using the guidance adopted under the DWD (2020/2184). The Commission shall consider establishing quality standards for **PFAS Total in surface waters and groundwater at the next review** and aim to **complement the guidance on monitoring PFAS Total in drinking water** to make it applicable to monitoring PFAS Total in GW and SW.

ES comments: We agree with the proposal to include total PFAS in groundwater and surface water, in line with what is established in the Drinking Water Directive (DWD).

**f) Bisphenols**

Bisphenols are part of the compromise **proposal of total/sums**.

Bisphenol-A should be added to the list of substances in Annex I to Directive 2008/105/EC and designated as a priority hazardous substance. The Commission should review the listing of bisphenols in general at the next review, **and consider to establish an EQS for 'Bisphenols Total' or at least for the 'Sum of Bisphenols',** including at least Bisphenol-B and Bisphenol-S. **The 'Sum of Bisphenols' should be therefore listed in Annex III** to Directive 2008/105/EC. Furthermore, Member States should give particular consideration whether **to identify and monitor at least Bisphenol B and Bisphenol S as river basin specific pollutants**, where potentially relevant, and to report the data in line with Article 8(4) of Directive 2000/60/EC to ensure that the risk from the sum of those bisphenols and Bisphenol A can be properly assessed at the next review. During the next review, the Commission should also consider listing Bisphenols in GWD, including as a sum and/or total. For both ground and surface waters, it should be supported by an appropriate monitoring method.

| ES comments: we agree with the proposal. |
|---|

**g) Summary of the Total/ Sum compromise proposal:**

The main element of the proposed compromise is the **re-establishment of Annex III to the EQSD** as a "holding place" for substances which should be considered for inclusion in the priority substances list at the next review. Annex to the EQSD would include:

- **'sum of bisphenols'**,
- **'sum(s) of selected pesticides by mode of action',**
- **'sum(s) of selected pharmaceuticals by mode of action'**.

Other elements of the compromise, as described above in points 3 c-f, consist of including sums (pharmaceuticals for GW), pesticides for SW and PFAS for both GW and SW **already during the current revision.**

There is also an encouragement for MS to use PFAS total methodology following the guidance published for the Drinking Water Directive and to consider monitoring Bisphenol B and S as River Basin Specific Pollutants.

The compromise consist as well of strong encouragement for the Commission to consider **adding "total" standards** for PFAS, Bisphenols, pesticides and pharmaceuticals, as well as the sum of Bisphenols for GW **during the next review**, supported by appropriate monitoring methods.

For the total/sum compromise proposal, please refer **to annex 9.**

| ES comments: we agree with the proposal. |
|---|

**h) Several changes have been proposed to the annex I of EQSD, Including:**

- division of SW/FW for biota**,**

- footnote 33,
- AA- EQS / MAC - EQS

**(**Please see annex 8)

5. **Reporting cluster:**

A compromise proposal on inventories has been proposed. It is in large part based on the Council mandate. Please see **annex 10**.

**ANNEX 1 (Effect based monitoring)**

| row | COM | EP | Council | Compromise proposal |
|---|---|---|---|---|
| Recital 11 | | | | |
| 21 | (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. | (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 2008/105/EC. That comparison ~~will be used to assess~~***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 | (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 **are encouraged to** ~~should~~ apply such methods **on a voluntary basis** 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 **and could also replace substance-by-substance monitoring. The concept of effect based trigger values should be defined.** ~~The definition of EQS~~ in Directive 2000/60/EC **and the** | ***The conventional chemical analytical methods used for monitoring substances under this Directive cannot, in general, determine cumulative (or mixture) risk***. 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. ***The Commission should publish a report on*** ~~T~~that comparison and an analysis of ~~will be used to assess~~ whether effect-based monitoring methods ***deliver data robust and accurate enough to allow them to*** ~~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 |

| | | | | |
|---|---|---|---|---|
| | | 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. | **definition of good chemical status** 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. | those listed in Annex I to Directive 2008/105/EC, ***and could also replace substance-by-substance monitoring at many locations. The concept of effect based trigger values should be defined***~~.. The definition of EQS~~ in Directive 2000/60/EC ***and the definition of good chemical status*** 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. |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3) | | | | |
| 305 | 3. Member States shall, from … [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive], for a period of two years, monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods. They shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones 7-Beta estradiol (E2), Estrone (E1) and Alpha-Ethinyl estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical | 3. Member States shall, from … [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive], for a period of two years, monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods. They shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones 7-Beta estradiol (E2), Estrone (E1) and Alpha-Ethinyl estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical | 3. Member States **may, , from**~~-shall, from … [OP please insert the date =~~ the first day of the month following 18 months after the~~-date of entry into force of this Directive]~~ **publication of the technical guidelines referred to in paragraph 4** , for a period of two years, monitor the presence of estrogenic substances– in water bodies, using effect-based monitoring methods. **Where Member States decide to do so,** they shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones ~~7~~**17**-Beta estradiol (E2), Estrone (E1) and **17-a lpha-** | Member States shall, over a period of two years from 1 January 2030, ~~and~~ providing that ~~the~~ ***~~publication of~~ the technical guidelines referred to in paragraph 4 have been published at least 18 months before this date***, monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods as explained in the guidelines. The sampling and analysis need not commence at the start of that two-year period, but<br><br>shall be conducted at least four times during each year. Member States shall conduct the monitoring at ~~locations a~~ |

| | | | | |
|---|---|---|---|---|
| | methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive. Member States may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. | methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive. Member States may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. | **ethinyl** ~~Alpha-Ethinyl~~ estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive~~. Member States may use the network of monitoring~~ **and select a number of** sites ~~identified for the surveillance monitoring of~~ **in** representative surface water bodies in ~~accordance with point 1.3.1 of Annex V to Directive 2000/60/EC.~~ **order to obtain comparative results at a range of concentrations.** | ***selection of the sites*** where the three estrogenic hormones ***1***7-~~*8b*~~eta estradiol (E2), Estrone (E1) and ***17-A***~~a~~lpha-~~E~~ethinyl-estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that ***Directive in order to obtain comparative results at range of concentrations, and report the data together and in line with Article 8(4) of Directive 2000/60/EC.-The number of sites shall be no less than that specified in paragraph 3 of Article 8b of this Directive for monitoring substances on the watch list.*** ~~Member States, may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. Where possible,~~ Member States may start the monitoring ~~period~~ before the indicated date as long as the technical guidelines have been published. |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3a) | | | | |
| 305 a | | | **4. The Commission shall by [OP please insert the date = the first day of the month following 12 months after the date of entry into force of this Directive] adopt technical guidelines regarding methods for chemical analysis of the** | ***4. The Commission shall by [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive] publish technical guidelines for the*** |

| | | | | |
|---|---|---|---|---|
| | | | **estrogenic substances and regarding effect-based monitoring methods, interpretation and assessment of the results and trigger values as defined in Article 2 (35b) of Directive 2000/60/EC.";** | ***monitoring of estrogenic substances using effect-based monitoring methods.*** |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3b), first and second subparagraphs | | | | |
| 305 b | | ***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.*** | | ***The Commission shall, within 18 months of the data being reported by the Member States, publish a report comparing the results from the conventional analytical and the effect-based methods and analyse the possibility of using effect-based monitoring methods in conjunction with an effect-based trigger value for estrogens as defined in Article 2(35b) of Directive 2000/60/EC for screening purposes to support the assessment of chemical status .***<br>***However, Member States ~~S~~ shall not use the effect-based results from the two-year comparative monitoring period referred to in paragraph 3 for the purpose of classifying the chemical status of the monitored water bodies, as described in point 1.4.3 of Annex V to Directive 2000/60/EC, at the end of that period.*** |

| | | | | |
|---|---|---|---|---|
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3b), third subparagraph | | | | |
| 305 c | | ***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.*** , | , | ***Taking into account the analysis in the report referred to in the first subparagraph, the Commission shall consider setting a trigger value for estrogens for screening purposes and for the assessment of chemical status. Once effect-based methods are ready to use also for other substances, the Commission shall consider requiring Member States to use them, if necessary at least initially in parallel with conventional analytical methods, and consider setting corresponding trigger values.*** |
| Article 3, first paragraph, point (6), amending provision, sixth paragraph | | | | |
| 306 | * Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE), OJ L 108, 25.4.2007, p. 1). | *deleted* | *deleted* | |
| *Article 3, first paragraph, point (6), amending provision, seventh paragraph* | | | | |
| *307* | ** Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information, OJ L 172, 26.6.2019, p. 56).; , | *deleted* | *deleted* | |

**ANNEX 2 (Definitions)**

**Description of the compromise**: accept the suggestion from Council to add a definition for Effect Based Trigger Values; which then triggers the need to change the definition of good chemical status accordingly

- Revert back to existing definition of EQS in Art 2(35) WFD (slightly reformulated language but content is the same).
- Add the new definition for Effect based Trigger Values proposed by Council;
- Change definition of good chemical status accordingly, i.e. referring to both EQS and EBTV, but the latter only where '**available**', i.e. where verifiable on the basis of a scientifically validated effect-based monitoring method;
- Small change to EC proposal in Art 2(24) to take out the reference to Art 8(2), point (c ) (this was an error); and replace it with Art 8d(1), which refers to MS setting and implementing EQS for all RBSPs of concern in their country
- Take out the reference proposed by Council to Art 16(4a) of WFD: irrespective of the final decision on keeping Art 16 or not, it seems more appropriate in any case to refer to Art 8d(1) EQSD which relates to MS setting and implementing EQS for their RBSPs;

TEXT PROPOSAL

Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the **following: the** environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* ~~and~~**,** the environmental quality standards for river basin specific pollutants set and applied in accordance with Article ~~8(2), point (c), and~~ **16 (4a) of this Directive or** ~~or~~ Article 8d(1)~~aand nd 8d(2)~~of ~~that~~ **of** Directive **2008/105/EC, and** ~~**if available, standardised**~~ **effect-based trigger values, where available.**

Art 2 (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.

Art 2 (35b) 'Effect-based trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically **validated** effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur.

| EC proposal | EP | Council | Comments - Compromise |
|---|---|---|---|
| Art 2 (24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* and the environmental quality standards for river basin specific pollutants set in accordance with Article 8(2), point (c), and Article 8d(1) of that Directive. | unchanged | Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the **following: the** environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* ~~and~~**,** the environmental quality standards for river basin specific pollutants set in accordance with Article ~~8(2), point (c), and~~ **16 (4a) of this Directive or** Article 8d(1) of ~~that~~ Directive **2008/105/EC, and if available, standardised effect based trigger values**. **';** | *Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the* ***following: the*** *environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council** ~~***and,***~~ *the environmental quality standards for river basin specific pollutants set and applied in accordance with Article ~~8(2), point (c), and~~* ~~***16 (4a) of this Directive or***~~ *or Article 8d(1)* ~~***aand nd 8d(2)***~~*of ~~that~~* ***of*** *Directive* ***2008/105/EC, and if available, standardised*** ***effect-based trigger values, where available.';*** |
| Art 2 (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.'; | Art 2(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.' | *deleted* | *Art 2 (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.* |
| | | Art 2 (35b)'Effect-based Trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically **validated** effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur. | *Art 2 (35b)'Effect-based Trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically* ***validated*** *effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur.* |

**ANNEX 3 (Ground water ecosystems – Presidency compromise proposal):**

| | ORG Directive text | EP Proposal | Council proposal | COMPROMISE PROPOSAL |
|---|---|---|---|---|
| Recital | (20)<br>Research should be conducted in order to provide better criteria for ensuring groundwater ecosystem quality and protection. Where necessary, the findings obtained should be taken into account when implementing or revising this Directive. Such research, as well as dissemination of knowledge, experience and research findings, needs to be encouraged and funded. | | (new 8c)<br>**Pharmaceutical active substances are of great concern for ecosystems. Groundwater quality standards for pharmaceuticals should therefore be aligned, for the substances most frequently encountered in groundwater bodies, with the values adopted or proposed as environmental quality standards to be achieved in surface waters. This should ensure the protection of associated aquatic ecosystems and dependent terrestrial ecosystems. Stricter standards are needed to protect sensitive groundwater ecosystems. Member States should work with the Commission under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying such ecosystems. As soon as a reliable method is available, Member States should, where relevant, apply that method.**<br>**If a Member State identifies the presence of such** | **(20 - redrafted)**<br>**There is a need to gather more knowledge about the presence, importance and sensitivity of groundwater ecosystems in order to properly protect them.**<br>**Additional scientific research should therefore be encouraged, funded and conducted, and the findings should be disseminated, and,** where necessary, taken into account, along with existing knowledge, when implementing or revising this Directive.<br><br>**The Commission should work with Member States under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying groundwater ecosystems.**<br><br>**As soon as a reliable methodology is available, Member States should, where relevant, apply that methodology, and set stricter standards where necessary to** |

| | | | | |
|---|---|---|---|---|
| | | | **ecosystems, it should set stricter quality standards or threshold values accordingly, unless the standard has been set to protect human health and is already sufficiently strict to protect the sensitive ecosystems.** | **protect those ecosystems** |
| Annex I point 3 | Where, for a given body of groundwater, it is considered that the groundwater quality standards could result in 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 diminution of the ecological or chemical quality of such bodies, or in any significant damage to terrestrial ecosystems which depend directly on the body of groundwater, more stringent threshold values will be established in accordance with Article 3 and Annex II to this Directive. Programmes and measures required in relation to such a threshold value will also apply to activities falling within the scope of Directive 91/676/EEC. | 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 | *No changes* | Where, for a given body of groundwater, it is considered that the groundwater quality standards could result in 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 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.** Provided that a **reliable methodology is available to assess the presence of groundwater ecosystems, more stringent quality standards shall also be established for groundwater bodies where such ecosystems are present, unless the standards have been** |

| | | | | |
|---|---|---|---|---|
| | | scope of Directive 91/676/EEC. | | **set to protect human health and are already sufficiently strict to protect those ecosystems.** |
| Footnote Annex I | COM COMPROMISE PROPOSAL<br><br>When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and set, if such ecosystems are present, a 10-times stricter threshold value for this substance in order to preserve these ecosystems, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for an intermediate or even stricter value." | | Council mandate<br><br>**When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and set, if necessary following a risk assessment, a stricter threshold value for this product in line with article 3 (1b) - in order to preserve these ecosystems**. | When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in ~~their~~ groundwater bodies **whose characteristics could support their existence and set, if such ecosystems are present, and** in line with Article 3 (1)(b) ~~**if necessary following a risk assessment, a 10-times**~~ **stricter threshold value for this substance** ~~**in order to**~~ **that is adequate** to protect those ecosystems~~, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for an intermediate or even stricter value~~. |
| Footnote annex II (part D) | COM COMPROMISE PROPOSAL<br><br>Wherever an individual pharmaceutical active substance poses a risk to one or more groundwater bodies in a Member State, that Member State shall apply this threshold value unless a stricter standard or threshold value applies at Union | | Council mandate<br><br>**Member States shall apply this threshold value unless a stricter standard or threshold value has been specifically set for the substance concerned at Union or national level. When a reliable** | Member States shall apply this threshold value unless a ~~stricter~~ standard or threshold value has been specifically set for the substance concerned at Union or national level for either |

| | | | | |
|---|---|---|---|---|
| | or Member State level, for either surface or groundwater.<br>When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and, if such ecosystems are present, set a threshold value of 0.25 µg/l or a value 10 times stricter than the corresponding surface or groundwater standard or threshold value, where applicable, in order to preserve these ecosystems, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for a different value, | | **methodology is available, Member States shall assess, the presence of groundwater ecosystems in their groundwater bodies and set, if necessary following a risk assessment, a stricter threshold value for this product in line with article 3 (1b) - in order to preserve these ecosystems.** | surface or groundwater.<br><br>When a reliable methodology is available, **Member States shall assess the presence of groundwater ecosystems in ~~their~~ groundwater bodies whose characteristics could support their existence and set, if such ecosystems are present,** and in line with Article 3 (1)(b), ~~if necessary following a risk assessment,~~ **a stricter** ~~threshold value of 0.25 µg/l or a value 10 times stricter than the corresponding surface or groundwater standard or~~ **threshold value,** ~~where applicable, in order~~ if **necessary to protect those ecosystems**~~,~~ ~~unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for a different value~~. |

## ANNEX 4 (Non-deterioration)

**Preambule 14 d is amended as follows (highlighted in blue proposed changes to the Council mandate)**

(14d) The judgements of the Court of Justice of the European Union, combined with additions to the lists of substances as well as stricter standards for existing pollutants, have highlighted the difficulty for Member States of complying with the non-deterioration objective of Directive 2000/60/EC, may hamper the implementation of certain activities and entail a considerable administrative burden for Member States. This is especially the case if short-term effects of activities occur or if pollutants are relocated within or between waterbodies without however causing an overall increase in pollution. As a result of the relocation, the pollution in the source-water body might be reduced and the pollution in the receiving water body might increase whilst the overall pollution mass balance is null. When relocating groundwater or sediment containing ubiquitous PTB substances, other substances present are also relocated. It is therefore not possible to focus solely on uPBT substances. As far as possible, remediation measures should be taken to mitigate the adverse effects. Activities such as discharge of PFAS contaminated drainage water from construction works or the displacement of dredged sediments for flood safety or navigation should be allowed, provided the necessary and proportionate safeguards are in place and their compliance can be verified so as to avoid a lowering of the level of ambition of the Directive 2000/60/EC. Activities like dumping of contaminants into the water body, including sewage sludge, should not be allowed**.**

**Preambule 28a is amended as follows:**

**(28a) Member States experts should be involved in the regular cooperation facilitated by the Common Implementation Strategy for Directive 2000/60/EC and in particular in the working groups established under it, and thus closely involved especially in the revision of the watch lists, the updates of the lists of pollutants, ~~and~~ the establishment of the reporting formats and the exchange on good practices on the application of exemptions.**

**Article 4.7.a is amended as follows (highlighted in blue proposed changes to the Council mandate):**

**"7a.** Member States will not be in breach of this Directive if any negative short-term impacts on ~~one or more quality elements~~ the chemical status of a water body or water bodies caused by a new project or a modification to an existing project in that or those water bodies is no longer detectable after one year, ~~or maximum three years for the biological quality elements~~, beyond initiation of the execution of the project,

and all the following conditions are met:

a) the negative impacts are not the result of direct discharges, emissions or losses of a pollutant;

b) there are no ~~significantly~~ better environmental options for reasons of technical feasibility or disproportionate cost;

c) all practicable ~~measures~~ steps are taken to mitigate the negative impacts on the status of the water body or water bodies;

d) the potential impacts are assessed ex ante, on the basis of scientific evidence and ~~on this basis~~ it is concluded that there will be no negative impact for the concerned

water body beyond one year~~, or beyond maximum three years for the biological quality elements;~~

e) ex post verification is carried out;

f) a summary of the main activities carried out in line with the provisions of this paragraph and the measures taken to mitigate negative impacts is included in the river basin management plans required under Article 13 of this Directive.

**Article 4.7.b is amended as follows (highlighted in blue proposed changes to the Council mandate):**

"7b. Member States will not be in breach of this Directive when deterioration occurs in the status of a surface water body as a result of relocating water or sediment by human activity within or between surface water bodies, or from a groundwater body to a surface water body, without causing a net increase in pollution, and all the following conditions are met:

a) all ~~practicable measures~~ steps~~, including~~ in particular the treatment of the water or sediment if ~~relevant and~~ feasible~~,~~ are taken to mitigate adverse impacts on the status of the water body or water bodies;

b) the composition of the relocated water or sediments is established, and the relocation does not ~~significantly~~ increase the overall risk to human health and the environment compared to the existing risk prior to the relocation;

*c)* the receiving water body is confirmed as already not being in a good ecological status or potential, neither in good chemical status ~~[~~with respect to a large proportion of the pollutants relocated~~]~~ and the ecological status or potential of the reciving water body ~~cannot be classified~~ is not expected to fall into a lower class as a result of the relocation of those pollutants;

d) bodies of water identified for the abstraction of water intended for human consumption, as well as those bodies of water intended for such future use, as referred to in Article 7(1), are excluded from this exemption;

e) the details, including the reasons, for the relocation are set out and explained in the river basin management plan required under Article 13;

f) there are no ~~significantly~~ better environmental options for reasons of technical feasibility or disproportionate cost;

g) the relocation is subject to prior regulation or authorisation.";

**ANNEX 5 (Access to justice): [updated]**

| | ***EP amendment*** | Compromise proposal |
|---|---|---|
| 41c | ***(31c) As confirmed by the case law of the CJEU[1], 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.***<br><br>***1. 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.*** | **(31 c)** Directive 2003/4/EC of the European Parliament and of the Council is aimed at guaranteeing the right of access to environmental information in the Member States in line with the 1998 Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters ('Aarhus Convention'). The Aarhus Convention encompasses broad obligations related both to making environmental information available upon request and actively disseminating such information. Directive 2007/2/EC of the European Parliament and of the Council is also of broad scope, covering the sharing of spatial information, including data sets on different environmental topics. It is important that provisions of this Directive related to access to information and data-sharing arrangements complement those Directives and do not create a separate legal regime. Therefore, the provisions of this Directive regarding information to the public and information on monitoring of implementation should be without prejudice to Directives 2003/4/EC and 2007/2/EC.<br><br>(31d) According to settled case law of the Court of Justice, it is for the courts of the Member States to ensure judicial protection of a person's rights under Union law. Furthermore, Article 19(1) TEU requires Member States to provide remedies sufficient to ensure effective judicial protection in the fields covered by Union law. In this respect, Member States should ensure that the public, including natural or legal persons submitting substantiated concerns in accordance with Article 29, is ensured access to justice in line with the obligations Member States have undertaken as parties to the Aarhus Convention.<br><br>This should be done in accordance with national rules, without depriving the provision on compensation of its effectiveness. In addition, in accordance with the Aarhus Convention, members of the public concerned are to have access to justice in order to contribute to the protection of the right to live in an environment which is adequate for personal health and well-being. |

| | | |
|---|---|---|
| 106d | *(9b) The following Article is inserted :* | *(9b) The following Article is inserted :* |
| 106e | *Article 14a*<br>‘<br>*Access to justice* | *Article 14a*<br>‘<br>*Access to justice* |
| 106f - k | *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:*<br><br>*(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;*<br><br>*(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).*<br><br>*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.*<br><br>*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.* | 1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned 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 decisions, acts or omissions subject to Article 4, 11 and Article 13(1) of this Directive, where at least one of the following conditions is met:<br>(a) they have a sufficient interest;<br>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.<br>2. Member States shall determine what constitutes a sufficient interest and impairment of a right, consistently with the objective of giving the public concerned wide access to justice. To this end, the interest of any non-governmental organisation promoting environmental protection and meeting any requirements under national law shall be deemed sufficient for the purpose of paragraph 1(a). Such organisations shall also be deemed to have rights capable of being impaired for the purpose of paragraph 1(b).<br>3. Standing in the review procedure shall not be conditional on the role that the member of the public concerned played during a participatory phase of the decision-making procedures under this Directive.<br>4. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.<br>5. The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief where appropriate.<br>6. Member States shall ensure that practical information is made available to the public on access to administrative and judicial review procedures referred to in this Article. |

| | | |
|---|---|---|
| | ***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."*** | |

**ANNEX 6 (Extended Producer's Responsibility):**

**Article 8 is amended as follows:**

the following paragraphs 4,5, 6 and **7** are added:

7. **The Commission shall by [36 months after the date of entry into force of this Directive], publish a report on possibility to include in this Directive an extended producer responsibility mechanism. The report shall evaluate in particular the feasibility of requiring producers that place on the EU market products containing any of the substances listed in Annexes I to Directives 2006/118/EC and 2008/105/EC to contribute to the costs of monitoring programmes designed under Article 8 of Directive 2000/60/EC.**

**Commented [CA1]:** EPR in the UWWTD is being controversial right now so it is better to wait how that schema is deployed.

**ANNEX 7 (Synthetic substances):**

**TEXT PROPOSALS** [yellow text proposed by the Commission; in blue text from the Council]

- Article 3 is amended as follows:
- (a) in paragraph 1, first subparagraph, the following point (c) is added:

  '(c ) threshold values established at Union level ~~in accordance with Article 8(3)~~ and listed in Part D of annex II to this Directive'

  (b) paragraph 2 is replaced by the following:

  2. Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.

  **Threshold values referred to in paragraph 1, points (b) and (c), shall be applied at the level relevant to the occurrence of the pollutant.**

- Part B, point 2
  'Man-made synthetic substances
  [ Primidone ]
  Trichloroethylene
  Tetrachloroethylene'

- Part D - Repository of harmonised threshold values for **man-made synthetic substances** (*)of national, regional or local concern in groundwater

**(*) including synthetic substances with identical natural counterparts which may occur in groundwater, but where any natural background level is at most low.**

| Commission proposal | EP | Council | Compromise |
|---|---|---|---|
| Line 152 to 154<br>Article 3 is amended as follows:<br>in paragraph 1, first subparagraph, the following point (c) is added:<br>(c) threshold values established at Union level in accordance with Article 8(3) and listed in Part D of Annex II to this Directive.; | No changes proposed by EP | Article 3 is amended as follows:<br><br>in paragraph 1, first subparagraph, the following point (c) is added<br>(c) threshold values **for synthetic substances** established at Union level ~~in accordance with Article 8(3) and~~ listed in Part D of Annex II to this Directive~~.~~**'**; | Article 3 is amended as follows:<br><br>in paragraph 1, first subparagraph, the following point (c) is added<br><br>'(c ) threshold values ~~for synthetic substances~~ established at Union level ~~in accordance with Article 8(3)~~ and listed in Part D of Annex II to this Directive.' |

| | | | |
|---|---|---|---|
| Line 156<br><br>2. Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.; | No changes proposed | 2. Threshold values referred to in paragraph 1, ~~point (b)~~ **points (b) and (c)**, may be established **or applied, respectively,** at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.**'**; | Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.<br><br>**Threshold values referred to in paragraph 1, points (b) and (c), shall be applied at the level relevant to the occurrence of the pollutant** |
| Part B point 2 | No changes proposed | No changes proposed | 'Man-made synthetic substances<br>Primidone<br>Trichloroethylene<br>Tetrachloroethylene' |
| Part D<br>Repository of harmonised threshold values for groundwater pollutants of national, regional or local concern | | the following Part D is added:<br><br>'Part D<br><br>**Repository of harmonised threshold values for synthetic substances in groundwater ~~pollutants~~ of national, regional or local concern** | Compromise proposal:<br><br>Part D<br><br>Repository of harmonised threshold values for man-made **synthetic substances (*)**of national, regional or local concern in groundwater<br><br>**(*)** (*) including synthetic substances with identical natural counterparts which may occur in groundwater, but where any natural background level is at most low. |

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| [Entry] N° | Name of substance | Category of substances | CAS number(1) | EU number(2) | Threshold value [µg/l unless otherwise indicated] |
| ~~1~~ | ~~Trichloroethylene and Tetrachloroethylene (sum of two)~~ | ~~Industrial substances~~ | ~~79-01-6 and 127-18-4~~ | ~~201-167-4 and 204-825-9~~ | ~~10 (total)(3)~~ |
| | **Individual pharmaceutical active substances** (4) | **Pharmaceuticals** | | | **2,5** (5) |

**ANNEX 8 (Deselection) (NEW):**

EQSD - Annex I

Footnote 31 is proposed to be deleted

Footnote 33 is proposed to be reformulated

Substances: 3,4, 9a,9b, 10, 11, 19 **to be reinserted**

Sum of pesticided – added as part of the sum/ totals compromise proposal

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| [Entry] N° | Name of substance | Category of substances | CAS number (1) | EU number (2) | AA-EQS (3) Inland surface waters (4) [µg/l] | AA-EQS (3) Other surface waters [µg/l] | MAC-EQS (5) Inland surface waters (4) [µg/l] | MAC-EQS (5) Other surface waters [µg/l] | EQS Biota (6) [µg/kg wet weight] or EQS Sediment [µg /kg dry weight] where so indicated | Identified as a priority hazardous substance | Identified as an Ubiquitous Persistent, Bioaccumulative and Toxic (uPBT) substance | Identified as a substance that tends to accumulate in sediment and/or biota |
| (1) | The substance Alachlor has been moved to Part C of Annex II | | | | | | | | | | | |
| (2) | Anthracene | Industrial substances | 120-12-7 | 204-371-1 | ~~0,1~~0,1 | ~~0,1~~0,1 | 0,1 | 0,1 | | X | | X |
| **(3)** | **The substance Atrazine has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(4)** | **The substance Benzene has been moved to Part C of Annex II** | | | | | | | | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (5) | Brominated diphenylethers (33) | Industrial substances | not applicable | not applicable | | | 0,14 (7) | 0,014 (7) | 0,00028 (7) | X (8) | X | X |
| (6) | Cadmium and its compounds (depending on water hardness classes) (9) | Metals | 7440-43-9 | 231-152-8 | < 0,08 (Class 1)<br>0,08 (Class 2)<br>0,09 (Class 3)<br>0,15 (Class 4)<br>0,25 (Class 5) | 0,2 | < 0,45 (Class 1)<br>0,45 (Class 2)<br>0,6 (Class 3)<br>0,9 (Class 4)<br>1,5 (Class 5) | < 0,45 (Class 1)<br>0,45 (Class 2)<br>0,6 (Class 3)<br>0,9 (Class 4)<br>1,5 (Class 5) | | X | | X |
| (6a) | The substance Carbon tetrachloride has been moved to Part C of Annex II | | | | | | | | | | | |
| (7) | $C_{10-13}$ Chloroalkanes (10) | Industrial substances | 85535-84-8 | 287-476-5 | 0,4 | 0,4 | 1,4 | 1,4 | | X | | X |
| (8) | The substance Chlorfenvinphos has been moved to Part C of Annex II | | | | | | | | | | | |
| (9) | Chlorpyrifos (Chlorpyrifos-ethyl) | Organophosphate pesticides | 2921-88-2 | 220-864-4 | $4,6 \times 10^{-4}$ | $4,6 \times 10^{-5}$ | 0,0026 | $5,2 \times 10^{-4}$ | | X | ~~X~~ | X |
| **(9a)** | **The substance Cyclodiene pesticides has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(9b)** | **The substances DDT and para-para-DDT have been moved to Part C of Annex II** | | | | | | | | | | | |
| **(10)** | **The substance 1,2-Dichloroethane has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(11)** | **The substance Dichloromethane has been moved to Part C of Annex II** | | | | | | | | | | | |
| (12) | Di(2-ethylhexyl)-phthalate (DEHP) | Industrial substances | 117-81-7 | 204-211-0 | 1,3 | 1,3 | not applicable | not applicable | | X | | X |
| (13) | Diuron | Pesticides – herbicides | 330-54-1 | 206-354-4 | 0,049 | 0,0049 | 0,27 | 0,054 | | | | |
| (14) | Endosulfan | Organochlorine pesticides | 115-29-7 | 204-079-4 | 0,005 | 0,0005 | 0,01 | 0,004 | | X | | |
| (15) | Fluoranthene | Industrial substances | 206-44-0 | 205-912-4 | $7,62 \times 10^{-4}$ | $7,62 \times 10^{-4}$ | 0,12 | 0,012 | 6,1 | X | X | X |
| (16) | Hexachlorobenzene | Organochlorine pesticides | 118-74-1 | 204-273-9 | | | 0,5 | 0,5 | ~~20~~ ~~1~~ **8** $_{fw\ fish}$ **(32)** **1** $_{sw\ fish}$ **(32)** | X | | X |
| (17) | Hexachlorobutadiene | Industrial substances | 87-68-3 | 201-765-5 | ~~$9 \times 10^{-4}$~~ $9.5 \times 10^{-4}$ (43) | $9.5 \times 10^{-4}$ | 0,6 | ~~0,6~~ **0,06** | 21 | X | | X |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (18) | Hexachlorocyclohexane | Pesticides - insecticides | 608-73-1 | 210-168-9 | 0,02 | 0,002 | 0,04 | 0,02 | | X | | X |
| **(19)** | **The substance Isoproturon has been moved to Part C of Annex II** | | | | | | | | | | | |
| (20) | Lead and its compounds | Metals | 7439-92-1 | 231-100-4 | ***1,2*** *(12)* | 1,3 | 14 | 14 | | X | | X |
| (21) | Mercury and its compounds | Metals | 7439-97-6 | 231-106-7 | | | 0,07 | 0,07 | ~~[10]~~ **11** ~~(13)~~ fw fish (32) 0,36 sw fish (32) | X | X | X |
| (22) | Naphthalene | Industrial substances | 91-20-3 | 202-049-5 | 2 | 2 | 130 | 130 | | | | |
| (23) | Nickel and its compounds | Metals | 7440-02-0 | 231-111-4 | 2 (12) | 3,1 | 8,2 | 8,2 | | | | |
| (24) | Nonylphenols (14) (4-Nonylphenol) | Industrial substances | 84852-15-3 | 284-325-5 | 0,037 | 0,0018 | 2,1 | 0,17 | | X | | |
| (25) | Octylphenols (15) ((4-(1,1',3,3'-tetramethylbutyl)-phenol)) | Industrial substances | 140-66-9 | 205-426-2 | 0,1 | 0,01 | not applicable | not applicable | | X | | |
| (26) | Pentachlorobenzene | Industrial substances | 608-93-5 | 210-172-0 | 0,007 | 0,0007 | not applicable | not applicable | | X | | X |
| (27) | Pentachlorophenol | Organochlorine pesticides | 87-86-5 | 201-778-6 | 0,4 | 0,4 | 1 | 1 | | X | | |
| (28) | Polyaromatic hydrocarbons (PAHs) (16) ~~(33)~~ | Combustion products | not applicable | not applicable | not applicable | not applicable | not applicable | not applicable | Sum of Benzo(a)pyrene equivalents ~~[~~0,~~6]~~ (17) | X | X | X |
| | Benzo(a)pyrene | | 50-32-8 | 200-028-5 | | | ~~0,27~~ **0,5** | ~~0,027~~ **0,05** | ~~[~~0,6~~]~~ | | | |
| | Benzo(b)fluoranthene | | 205-99-2 | ***205-911-9*** | | | 0,017 | 0,017 | ***see footnote 17*** | | | |
| | Benzo(k)fluoranthene | | 207-08-9 | ***205-916-6*** | | | 0,017 | 0,017 | ***see footnote 17*** | | | |
| | Benzo(g,h,i)perylene | | 191-24-2 | ***205-883-8*** | | | $8,2 \times 10^{-3}$ | $8,2 \times 10^{-4}$ | ***see footnote 17*** | | | |
| | Indeno(1,2,3-cd)pyrene | | 193-39-5 | ***205-893-2*** | | | ***not applicable*** | ***not applicable*** | ***see footnote 17*** | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Chrysene | | 218-01-9 | ***205-923-4*** | | | ***0,07*** | ***0,007*** | ***see footnote 17*** | | | |
| | Benzo(a)anthracene | | 56-55-3 | ***200-280-6*** | | | ***0,1*** | ***0,01*** | ***see footnote 17*** | | | |
| | Dibenz(a,h)anthracene | | 53-70-3 | ***200-181-8*** | | | ***0,014*** | ***0,0014*** | ***see footnote 17*** | | | |
| | **Fluoranthene** | | **206-44-0** | **205-912-4** | | | **0,12** | **0,012** | ***see footnote 17*** | | | |
| (29) | The Substance Simazine has been moved to Part C of Annex II | | | | | | | | | | | |
| (29a) | Tetrachloroethylene | Industrial substances | 127-18-4 | 204-825-9 | 10 | 10 | not applicable | not applicable | | | | |
| (29b) | Trichloroethylene | Industrial substances | 79-01-6 | 201-167-4 | 10 | 10 | not applicable | not applicable | | X | | |
| (30) | Tributyltin compounds ([18]) (***Tributyltin***-cation) | Biocides | 36643-28-4 | not applicable | 0,0002 | 0,0002 | 0,0015 | 0,0015 | ~~[1,3]~~ **1,6** ([19]) | X | X | X |
| **(31)** | **The substance Trichlorobenzenes has been moved to Part C of Annex II** | | | | | | | | | | | |
| (32) | Trichloromethane | Industrial substances | 67-66-3 | 200-663-8 | 2,5 | 2,5 | not applicable | not applicable | | | | |
| (33) | Trifluralin | Pesticides – herbicides | 1582-09-8 | 216-428-8 | 0,03 | 0,03 | not applicable | not applicable | | X | | |
| (34) | Dicofol | Organochlorine pesticides | 115-32-2 | 204-082-0 | ~~[~~$4{,}45 \times 10^{-3}$~~]~~ | ~~[~~$0{,}185 \times 10^{-3}$~~]~~ | not applicable ([20]) | not applicable ([20]) | ~~[5.45]~~ ~~**4,6**~~ **111** $_{\text{fw fish}}$[(32)] **4,6** $_{\text{sw fish}}$[(32)] | X | | X |
| (35) | Perfluorooctane sulfonic acid and its derivatives (PFOS) | Industrial substances | 1763-23-1 | 217-179-8 | Covered by substance group 65 (Per- and ~~poly-fluorinated~~ **polyfluoro**alkyl substances (PFAS) – sum of 24) | | | | | | | |
| (36) | Quinoxyfen | Pesticides – fungicides | 124495-18-7 | not applicable | 0,15 | 0,015 | 2,7 | 0,54 | | X | | X |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (37) | Dioxins and dioxin-like compounds ([21]) ~~[33]~~ | Industrial byproducts | not applicable | not applicable | | | ***not applicable*** | ***not applicable*** | Sum of PCDDs+ PCDFs+ PCB-DLs equivalents ~~[3,5 x $10^{-5}$]~~ ([22]) | X | X | X |
| (38) | Aclonifen | Pesticides - herbicides | 74070-46-5 | 277-704-1 | ~~0,12~~0,12 | ~~0,012~~0,012 | 0,12 | 0,012 | | | | |
| (39) | Bifenox | Pesticides - herbicides | 42576-02-3 | 255-894-7 | 0,012 | 0,0012 | 0,04 | 0,004 | | | | |
| (40) | Cybutryne | Biocides | 28159-98-0 | 248-872-3 | 0,0025 | 0,0025 | 0,016 | 0,016 | | | | |
| (41) | Cypermethrin ([23]) | Pyrethroid pesticides - insecticides | 52315-07-8 | 257-842-9 | $3 \times 10^{-5}$ | $3 \times 10^{-6}$ | $6 \times 10^{-4}$ | $6 \times 10^{-5}$ | | | | X |
| (42) | Dichlorvos | Organophosphate pesticides | 62-73-7 | 200-547-7 | $6 \times 10^{-4}$ | $6 \times 10^{-5}$ | $7 \times 10^{-4}$ | $7 \times 10^{-5}$ | | | | |
| (43) | Hexabromocyclododecane (HBCDD) ([24]) | Industrial substances | See footnote 24 | See footnote 24 | ~~[$4,6 \times 10^{-4}$]~~ | ~~[$2 \times 10^{-5}$]~~ | 0,5 | 0,05 | ~~[3,5]~~ **90 $_{fw\ fish}$** [(32)] **3,5 $_{sw\ fish}$** [(32)] | X | X | X |
| (44) | Heptachlor and heptachlor epoxide | Organochlorine pesticides | 76-44-8 / 1024-57-3 | 200-962-3/ 213-831-0 | ~~[$1,7 \times 10^{-7}$]~~ | ~~[$1,7 \times 10^{-7}$]~~ | $3 \times 10^{-4}$ | $3 \times 10^{-5}$ | ~~[0,013]~~ | X | X | X |
| (45) | Terbutryn | Pesticides - Biocides | 886-50-0 | 212-950-5 | 0,065 | 0,0065 | 0,34 | 0,034 | | | | |
| (46) | 17 alpha-ethinylestradiol (EE2) | Pharmaceuticals (Estrogenic hormones) | 57-63-6 | 200-342-2 | $1,7 \times 10^{-5}$ | $1,6 \times 10^{-6}$ | not derived | not derived | | | | |
| (47) | 17 beta-estradiol (E2) | Pharmaceuticals - estrogenic hormones | 50-28-2 | 200-023-8 | 0,00018 | $9 \times 10^{-6}$ | not derived | not derived | | | | |
| (48) | Acetamiprid | Neonicotinoid pesticides - insecticides | 135410-20-7 / 160430-64-8 | 603-921-1 | 0,037 | 0,0037 | 0,16 | 0,016 | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (49) | Azithromycin | Pharmaceuticals - macrolide antibiotics | 83905-01-5 | 617-500-5 | 0,019 | 0,0019 | 0,18 | 0,018 | | | | X |
| (50) | Bifenthrin | Pyrethroid pesticides - insecticides | 82657-04-3 | 617-373-6 | $9,5 \times 10^{-5}$ | $9,5 \times 10^{-6}$ | 0,011 | 0,001 | | | | X |
| (51) | Bisphenol-A (BPA) | Industrial substances | 80-05-7 | 201-245-8 | ~~$3,4 \times 10^{-5}$~~ **$1,7 \times 10^{-4}$** | ~~$3,4 \times 10^{-5}$~~ **$1,7 \times 10^{-4}$** | 130 | 51 | ~~0,005~~ **0,025** | X | | |
| (52) | Carbamazepine | Pharmaceuticals | 298-46-4 | 206-062-7 | 2,5 | 0,25 | $1,6 \times 10^{3}$ | 160 | | | | |
| (53) | Clarithromycin ~~(21)~~ | Pharmaceuticals - macrolide antibiotics | 81103-11-9 | 658-034-2 | ~~0,13~~0,13 | ~~0,013~~0,013 | 0,13 | 0,013 | | | | X |
| (54) | Clothianidin | Neonicotinoid pesticides - insecticides | 210880-92-5 | 433-460-1 | 0,01 | 0,001 | 0,34 | 0,034 | | | | |
| (55) | Deltamethrin | Pyrethroid pesticides - insecticides | 52918-63-5 | 258-256-6 | $1,7 \times 10^{-6}$ | $1,7 \times 10^{-7}$ | $1,7 \times 10^{-5}$ | $3,4 \times 10^{-6}$ | | | | X |
| (56) | Diclofenac | Pharmaceuticals | 15307-86-5 / 15307-79-6 | 239-348-5 / 239-346-4 | 0,04 | 0,004 | 250 | 25 | | | | X |
| (57) | Erythromycin | Pharmaceuticals - macrolide antibiotics | 114-07-8 | 204-040-1 | 0,5 | 0,05 | 1 | 0,1 | | | | X |
| (58) | Esfenvalerate | Pyrethroid pesticides - insecticidees | 66230-04-4 | 613-911-9 | $1,7 \times 10^{-5}$ | $1,7 \times 10^{-6}$ | 0,0085 | 0,00085 | | | | X |
| (59) | Estrone (E1) | Pharmaceuticals - estrogenic hormones | 53-16-7 | 200-164-5 | $3,6 \times 10^{-4}$ | $1,8 \times 10^{-5}$ | not derived | not derived | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (60) | Glyphosate | Pesticides - herbicides | 1071-83-6 | 213-997-4 | 0,1 ([25])<br>86,7 ([26]) | 8,67 | **not applicable ([25])**<br>398,6**([26])** | 39,86 | | | | |
| (61) | Ibuprofen | Pharmaceuticals | 15687-27-1 | 239-784-6 | ~~0,22~~ **0,14** | ~~0,022~~ **0,014** | | | | | | X |
| (62) | Imidacloprid | Neonicotinoid pesticides - insecticides | 138261-41-3 / 105827-78-9 | 428-040-8 | 0,0068 | $6,8 \times 10^{-4}$ | 0,057 | 0,0057 | | | | |
| (63) | Nicosulfuron | Pesticides - herbicides | 111991-09-4 | 601-148-4 | 0,0087 | $8,7 \times 10^{-4}$ | 0,23 | 0,023 | | | | |
| (64) | Permethrin | Pyrethroid pesticides - insecticides | 52645-53-1 | 258-067-9 | $2,7\times 10^{-4}$ | $2.7 \times 10^{-5}$ | 0,0025 | $2,5 \times 10^{-4}$ | | | | X |
| (65) | Per- and ~~poly-fluorinated~~ **polyfluoro**alkyl substances (PFAS) – sum of 25 ([27]) ~~([33])~~ | Industrial substances | not applicable | not applicable | Sum of PFOA equivalents 0,0044 ([28]) | Sum of PFOA equivalents 0,0044 ([28]) | not applicable | not applicable | Sum of PFOA equivalents 0,077 ([28]) | X | X | X |
| (66) | Silver | Metals | 7440-22-4 | 231-131-3 | 0,01 | 0,006 (10~~‰~~ salinity)<br>0,17 (30~~‰~~ salinity) | 0,022 | not derived | | | | |
| (67) | Thiacloprid | Neonicotinoid pesticides – insecticides | 111988-49-9 | 601-147-9 | 0,01 | 0,001 | 0,05 | 0,005 | | | | |
| (68) | Thiamethoxam | Neonicotinoid pesticides - insecticides | 153719-23-4 | 428-650-4 | 0,04 | 0,004 | 0,77 | 0,077 | | | | |
| (69) | Triclosan~~([31])~~ | Biocides | 3380-34-5 | 222-182-2 | ~~0,02~~0,02 | ~~0,002~~0,002 | 0,02 | 0,002 | | | | |
| ~~(70)~~ | ~~Total of active substances in pesticides, including their relevant metabolites, degradation and reaction products ([29])~~ | ~~Plant protection products and biocides~~ | | | ~~0,5 ([30])~~ | ~~0,5 ([30])~~ | | | | | | |
| (70) | Sum of active substances in the pesticides and biocides listed in this table~~([33])~~* | Pesticides and biocides | Not applicable | Not applicable | 0.1* | 0.01* | | | | | | |

(1) CAS: Chemical Abstracts Service.

(2) EU number: European Inventory of Existing Commercial Substances (EINECS) or European List of Notified Chemical Substances (ELINCS).

(3) This parameter is the EQS expressed as an annual average value (AA-EQS). Unless otherwise specified, it applies to the total concentration of all substances and isomers.

(4) Inland surface waters encompass rivers and lakes and related artificial or heavily modified water bodies.

(5) This parameter is the EQS expressed as a maximum allowable concentration (MAC EQS). Unless otherwise specified, it applies to the total concentration of all substances and isomers. Where the MAC EQS are marked as "not applicable", the AA EQS values are considered protective against short-term pollution peaks in continuous discharges since they are significantly lower than the values derived on the basis of acute toxicity.

(6) If an EQS biota **or sediment** is given, it, rather than the water EQS, shall be applied, without prejudice to the provision in Article 3(3) of this Directive allowing an alternative biota taxon, or another matrix, to be monitored instead, as long as the EQS applied provides an equivalent level of protection. Unless otherwise specified, it applies to the total concentration of all substances and isomers. Unless otherwise indicated, the biota EQS relate to fish. For substances numbered 15 (Fluoranthene), 28 (PAHs), and 51 (Bisphenol-A) the biota EQS refers to crustaceans and molluscs. For the purpose of assessing chemical status, monitoring of Fluoranthene **,** ~~and~~ **PAHs**~~,~~ and Bisphenol-A in fish is not appropriate. For substance number 37 (Dioxins and dioxin-like compounds), the biota EQS relates to fish, crustaceans and molluscs, in line with Commission Regulation (EU) No 1259/2011* Annex Section 5.3.

(7) For the group of priority substances covered by brominated diphenylethers (No 5), the EQS refer to the sum of the concentrations of congener numbers 28, 47, 99, 100, 153 and 154.

(8) Tetra, Penta, Hexa, Hepta, Octa and Decabromodiphenylether (CAS numbers 40088-47-9, 32534-81-9, 36483-60-0, 68928-80-3, 32536-52-0, 1163-19-5, respectively).

(9) For Cadmium and its compounds (No 6) the EQS values vary depending on the hardness of the water as specified in five class categories (Class 1: <40 mg CaCO3/l, Class 2: 40 to <50 mg CaCO3/l, Class 3: 50 to <100 mg CaCO3/l, Class 4: 100 to <200 mg CaCO3/l and Class 5: ≥200 mg CaCO3/l).

(10) No indicative parameter is provided for this group of substances. The indicative parameter(s) must be defined through the analytical method.

~~(11) DDT total comprises the sum of the isomers 1,1,1 trichloro 2,2 bis (p chlorophenyl) ethane (CAS 50 29 3, EU 200 024 3); 1,1,1 trichloro 2 (o chlorophenyl) 2 (p chlorophenyl) ethane (CAS 789 02 6, EU 212 332 5); 1,1 dichloro 2,2 bis (p chlorophenyl) ethylene (CAS 72 55 9, EU 200 784 6); and 1,1 dichloro 2,2 bis (p chlorophenyl) ethane (CAS 72 54 8, EU 200 783 0).~~

(12) These EQS refer to bioavailable concentrations of the substances.

~~(13) The EQS for biota refers to methyl mercury.~~

(14) Nonylphenol (CAS 25154-52-3, EU 246-672-0) including isomers 4-nonylphenol (CAS 104-40-5, EU 203-199-4) and 4-nonylphenol (branched) (CAS 84852-15-3, EU 284-325-5).

(15) Octylphenol (CAS 1806-26-4, EU 217-302-5) including isomer 4-(1,1',3,3'-tetramethylbutyl)-phenol (CAS 140-66-9, EU 205-426-2).

(16) Benzo(a)pyrene (CAS 50-32-8) (RPF 1), benzo(b)fluoranthene (CAS 205-99-2) (RPF 0,1), benzo(k)fluoranthene (CAS 207-08-9) (RPF 0,1), benzo(g,h,i)perylene (CAS 191-24-2) (RPF 0), indeno(1,2,3-cd)pyrene (CAS 193-39-5) (RPF 0,1), chrysene (CAS 218-01-9) (RPF 0,01), benzo(a)anthracene (CAS 56-55-3) (RPF 0,1), ~~and~~ dibenz(a,h)anthracene (CAS 53-70-3) (RPF 1) **and fluoranthene (CAS 206-44-0) (RPF 0,01). Fluoranthene also appears separately in row 15.** The PAHs anthracene~~, fluoranthene~~ and naphthalene are listed **only** separately **because no RPF is available**.

(17) For the group of polyaromatic hydrocarbons (PAHs) (No 28), the biota EQS refers to the sum of the concentrations of ~~seven~~ **eight** of the ~~eight~~ **nine** PAHs listed in footnote ~~17~~ **16** expressed as benzo(a)pyrene equivalents based on the carcinogenic potencies of the substances relative to that of benzo(a)pyrene, i.e. the RPFs in footnote 16. Benzo(g,h,i)perylene does not need to be measured in biota for the purposes of determining compliance with the overall EQS biota. **The biota EQS for fluoranthene in row 15 must also be complied with.**

(18) Tributyltin compounds including tributyltin-cation (CAS 36643-28-4).

(19) Sediment EQS

(20) There is insufficient information available to set a MAC-EQS for these substances.

(21) This refers to the following compounds:
7 polychlorinated dibenzo-p-dioxins (PCDDs): 2,3,7,8-T4CDD (CAS 1746-01-6, EU 217-122-7), 1,2,3,7,8-P5CDD (CAS 40321-76-4), 1,2,3,4,7,8-H6CDD (CAS 39227-28-6), 1,2,3,6,7,8-H6CDD (CAS 57653-85-7), 1,2,3,7,8,9-H6CDD (CAS 19408-74-3), 1,2,3,4,6,7,8-H7CDD (CAS 35822-46-9), 1,2,3,4,6,7,8,9-O8CDD (CAS 3268-87-9)
10 polychlorinated dibenzofurans (PCDFs): 2,3,7,8-T4CDF (CAS 51207-31-9), 1,2,3,7,8-P5CDF (CAS 57117-41-6), 2,3,4,7,8-P5CDF (CAS 57117-31-4), 1,2,3,4,7,8-H6CDF (CAS 70648-26-9), 1,2,3,6,7,8-H6CDF (CAS 57117-44-9), 1,2,3,7,8,9-H6CDF (CAS 72918-21-9), 2,3,4,6,7,8-H6CDF (CAS 60851-34-5), 1,2,3,4,6,7,8-H7CDF (CAS 67562-39-4), 1,2,3,4,7,8,9-H7CDF (CAS 55673-89-7), 1,2,3,4,6,7,8,9-O8CDF (CAS 39001-02-0)
12 dioxin-like polychlorinated biphenyls (PCB-DLs): 3,3',4,4'-T4CB (PCB 77, CAS 32598-13-3), 3,3',4',5-T4CB (PCB 81, CAS 70362-50-4), 2,3,3',4,4'-P5CB (PCB 105, CAS 32598-14-4), 2,3,4,4',5-P5CB (PCB 114, CAS 74472-37-0), 2,3',4,4',5-P5CB (PCB 118, CAS 31508-00-6), 2,3',4,4',5'-P5CB (PCB 123, CAS 65510-44-3), 3,3',4,4',5-P5CB (PCB 126, CAS 57465-28-8), 2,3,3',4,4',5-H6CB (PCB 156, CAS 38380-08-4), 2,3,3',4,4',5'-H6CB (PCB 157, CAS 69782-90-7), 2,3',4,4',5,5'-H6CB (PCB 167, CAS 52663-72-6), 3,3',4,4',5,5'-H6CB (PCB 169, CAS 32774-16-6), 2,3,3',4,4',5,5'-H7CB (PCB 189, CAS 39635-31-9).

(22) For the group of Dioxins and dioxin-like compounds (No 37), the biota EQS refers to the sum of the concentrations of the substances listed in footnote ~~20~~ **21** expressed as toxic equivalents based on the World Health Organisation 2005 Toxic Equivalence Factors.

(23) CAS 52315-07-8 refers to an isomer mixture of cypermethrin, alpha-cypermethrin (CAS 67375-30-8, EU 257-842-9), beta-cypermethrin (CAS 65731-84-2, EU 265-898-0), theta-cypermethrin (CAS 71691-59-1) and zeta-cypermethrin (CAS **1315501-18-8** ~~52315-07-8~~, EU 257-842-9).

(24) This refers to 1,3,5,7,9,11-Hexabromocyclododecane (CAS 25637-99-4, EU 247-148-4), 1,2,5,6,9,10- Hexabromocyclododecane (CAS 3194-55-6, EU 221-695-9), α-Hexabromocyclododecane (CAS 134237-50-6), β-Hexabromocyclododecane (CAS 134237-51-7) and γ- Hexabromocyclododecane (CAS 134237-52-8).

(25) For freshwater used for the abstraction and preparation of drinking water.

(26) For freshwater not used for the abstraction and preparation of drinking water.

(27) This refers to the following compounds, listed with their CAS number, EU number and Relative Potency Factor (RPF)~~, as well as their derivatives~~:
Perfluorooctanoic acid (PFOA) (CAS 335-67-1, EU 206-397-9) (RPF 1), Perfluorooctane sulfonic acid (PFOS) (CAS 1763-23-1, EU 217-179-8) (RPF 2), Perfluorohexane sulfonic acid (PFHxS) (CAS 355-46-4, EU 206-587-1) (RPF 0,6), Perfluorononanoic acid (PFNA) (CAS 375-95-1, EU 206-801-3) (RPF 10), Perfluorobutane sulfonic acid (PFBS) (CAS 375-73-5, EU 206-793-1) (RPF 0,001), Perfluorohexanoic acid (PFHxA) (CAS 307-24-4, EU 206-196-6) (RPF 0,01), Perfluorobutanoic acid (PFBA) (CAS 375-22-4, EU 206-786-3) (RPF 0,05), Perfluoropentanoic acid (PFPeA) (CAS 2706-90-3, EU 220-300-7) (RPF 0,03), Perfluoropentane sulfonic acid (PFPeS) (CAS 2706-91-4, EU 220-301-2) (RPF 0,3005), Perfluorodecanoic acid (PFDA) (CAS 335-76-2, EU 206-400-3) (RPF 7), Perfluorododecanoic acid (PFDoDA or PFDoA) (CAS 307-55-1, EU 206-203-2) (RPF 3), Perfluoroundecanoic acid (PFUnDA or PFUnA) (CAS 2058-94-8, EU 218-165-4) (RPF 4), Perfluoroheptanoic acid (PFHpA) (CAS 375-85-9, EU 206-798-9) (RPF 0,505), Perfluorotridecanoic acid (PFTrDA) (CAS 72629-94-8, EU 276-745-2) (RPF 1,65), Perfluoroheptane sulfonic acid (PFHpS) (CAS 375-92-8, EU 206-800-8) (RPF 1,3), Perfluorodecane sulfonic acid (PFDS) (CAS 335-77-3, EU 206-401-9) (RPF 2), Perfluorotetradecanoic acid (PFTeDA) (CAS 376-06-7, EU 206-803-4) (RPF 0,3), Perfluorohexadecanoic acid (PFHxDA) (CAS 67905-19-5, EU 267-638-1) (RPF 0,02), Perfluorooctadecanoic acid (PFODA) (CAS 16517-11-6, EU 240-582-5) (RPF 0,02), ~~and Ammonium perfluoro (2-methyl-3-oxahexanoate)~~**2,3,3,3-tetrafluoro-2-(heptafluoropropoxy)propionic acid** (HFPO-DA ~~or Gen X~~) (CAS ~~62037-80-3~~ **13252-13-6**) (RPF 0,06), ~~Propanoic Acid / Ammonium~~ 2,2,3-trifluoro-3-(1,1,2,2,3,3-hexafluoro-3-(trifluoromethoxy)propoxy)propano~~ate~~**ic acid** ~~(ADONA)~~ (CAS ~~958445-44-8~~ **919005-14-4**) (RPF 0,03), 2- (Perfluorohexyl)ethyl alcohol (6:2 FTOH) (CAS 647-42-7, EU 211-477-1) (RPF 0,02), 2-(Perfluorooctyl)ethanol (8:2 FTOH) (CAS 678-39-7, EU 211-648-0) (RPF 0,04) and ~~Acetic acid / ~~2,2-difluoro-2-((2,2,4,5-tetrafluoro-5-(trifluoromethoxy)-1,3-dioxolan-4-yl)oxy)**acetic acid** (C6O4) (CAS 1190931-41-9) (RPF 0,06), Trifluoroacetic acid (TFA) (CAS 76-05-1, EU 200-929-3) (RPF 0.002).

(28) For the group of PFAS (No 65), the EQS refer to the sum of the concentrations of the 25 PFAS listed in footnote 27~~, and their derivatives,~~ expressed as PFOA-equivalents based on the potencies of the substances relative to that of PFOA, i.e. the RPFs in footnote 27. **The critical EQS is the biota EQS (relating to fish consumption) and must therefore be complied with. The AA-EQS are not equivalently protective.**

~~(29) 'Pesticides' means plant protection products as referred to in Article 2 of Regulation (EC) No 1107/2009and biocidal products as defined in Article 3 of Regulation (EU) No 528/2012.~~

~~(30) 'Total' means the sum of all individual pesticides detected and quantified in the monitoring procedure, including their relevant metabolites, degradation and reaction products.';~~

(32) **'fw fish' indicates the $EQS_{biota}$ for freshwater fish monitored in inland waters ; 'sw fish' indicates the $EQS_{biota}$ for saltwater fish monitored in other surface waters**

**(33) The minimum performance criteria laid down in Directive 2009/90/EC apply to each individual substance within the group of substances but taking account of the need to quantify the contribution of each substance to the total concentration for comparison with the EQS**

*With the following exceptions: the four pesticides to be monitored in biota or sediment, i.e. the substances numbered 16, 30, 34 and 44, and glyphosate.

**ANNEX 9 (Totals/sum): new**

The following Annex is inserted into Directive 2008/105/EC

**ANNEX III**

SUBSTANCES SUBJECT TO REVIEW FOR POSSIBLE IDENTIFICATION AS PRIORITY SUBSTANCES OR PRIORITY HAZARDOUS SUBSTANCES

| **Name of substance** | **CAS number** | **EU number** |
|---|---|---|
| Sum of Bisphenols | not applicable | not applicable |
| Sum(s) of selected pesticides by mode of action | not applicable | not applicable |
| Sum(s) of selected pharmaceuticals by mode of action | not applicable | not applicable |
| | | |

| Recital 8 | | | | |
|---|---|---|---|---|
| 18 | (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. 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, | (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*** | (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)**, trichloro-ethylene and tetrachloro-ethylene** 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 | (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*** |

| | | | | |
|---|---|---|---|---|
| | 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. | ***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. | 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. | ***subset of specific PFAS 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 should therefore be added to the list of priority substances.*** Voluntary monitoring in groundwater, and watch-list monitoring under Article 8b of Directive 2008/105/EC have ***also*** confirmed a risk in groundwaters and surface waters from a number of pharmaceutical substances which should therefore be added to the list of pollutants in Annex I to Directive 2006/118/EC or to the priority substances list as relevant. In groundwater, the cumulative risk from pharmaceuticals should be addressed by setting a quality standard for the sum of eight selected pharmaceuticals identified during that watch-list monitoring. In surface water, cumulative risk from estrogenic pharmaceuticals should be addressed by effect-based monitoring and, taking into account data from more recent and ongoing watch-list monitoring, the Commission should consider setting |

| | | | | |
|---|---|---|---|---|
| | | | | standards for the sum(s) of selected pharmaceuticals, potentially based on mode of action, at the next review; for this reason "sum(s) of selected pharmaceuticals' should be added to Annex III to Directive 2008/105/EC. The Commission should also consider setting standards for total pharmaceuticals, supported by appropriate monitoring methods.<br>Member States are encouraged to monitor also PFAS Total in groundwater ~~and surface water~~ using the guidance adopted under Article 13(7) of 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. The Commission should consider ~~the guidance and~~ the results obtained by Member States in defining a monitoring method for PFAS Total specifically in groundwater, and encourage Member States to apply it. The Commission should adapt the method to facilitate the monitoring of PFAS Total in surface water and encourage the Member States to apply it. The Commission should also consider setting quality standards for PFAS Total in groundwater and |

| | | | | |
|---|---|---|---|---|
| | | | | surface waters during the next review of the lists of pollutants in Annexes I to Directives 2006/118/EC and 2008/105/EC. |
| Recital 8a | | | | |
| 18a | | ***(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[1] 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*** | | To be discussed. |

| | | | | |
|---|---|---|---|---|
| | | ***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.***<br><br>_____<br>***1. 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.*** | | |
| Recital 8b | | | | |
| 18b | | ***(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[1]. 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,*** | | Not relevant if Atrazine is indeed moved to Annex II Part C.. |

| | | | | |
|---|---|---|---|---|
| | | ***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[2].***<br><br>_____<br>***1. Commission Decision 2004/248/EC of 10 March 2004 concerning the non-inclusion of atrazine in Annex I to Council Directive91/414/EEC and the withdrawal of authorizations for plant protection products containing this active substance (OJ L 78, 16.3.2004, p. 53).***<br>***2. 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) (OJ L 435, 23.12.2020, p. 1).*** | | |
| Recital 8c | | | | |
| 18c | | ***(8c) According to SCHEER[1] and EMA[2], the generic quality standard of 0,1 µg/L and 0,5 µg/L for*** | | See Recital 11b below~~re pesticides in surface waters.~~ |

| | | | | |
|---|---|---|---|---|
| | | ***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[3], interim threshold values, based on best available scientific knowledge, should be established.***<br><br>_____<br>***1. 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.***<br>***2. EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.***<br>***3. European Groundwater Memorandum: To secure the quality and quantity of drinking water for future generations, March 2022.*** | | |
| Recital 8d | | | | |
| 18d | | ***(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*** | | ***(8d) Bisphenol-A should be added to the list of substances in Annex I to Directive 2008/105/EC and designated as a priority hazardous substance. Scientific evidence shows that bisphenols other than Bisphenol-A have endocrine-disrupting potential, and thus that replacing the use of one by the use of another might not have the intended benefit. Further, mixtures of bisphenols could pose a cumulative risk. The Commission*** |

| | | | | |
|---|---|---|---|---|
| | | ***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.*** | | ***should therefore review the listing of bisphenols in general at the next review, and consider the establishment of an EQS for 'Bisphenols Total' or at least for the 'Sum of Bisphenols', including at least Bisphenol-B and Bisphenol-S, supported by appropriate monitoring methods. The 'Sum of Bisphenols' should therefore be listed in Annex III to Directive 2008/105/EC, along with other parameters which the Commission should consider adding to the priority substances list at the next review. Furthermore, Member States should give particular consideration to whether to identify and monitor at least Bisphenol B and Bisphenol S as river basin specific pollutants, where potentially relevant, and to reporting the data in line with Article 8(4) of Directive 2000/60/EC to ensure that the risk from the sum of those bisphenols and Bisphenol A can be properly assessed at the next review. The Commission should also consider establishing quality standards for 'Bisphenols Total' and 'Sum of Bisphenols' in Directive 2006/118/EC.*** |
| Recital 8a (Council's mandate) | | | | |

| | | | | |
|---|---|---|---|---|
| 18e | | | **(8a) Taking into account that groundwater is the main source of drinking water in Europe, it is essential to harmonize the quality standards in line with the parametric values set for drinking water under Directive (EU) 2020/2184. This is especially the case for PFAS. However, it has recently been demonstrated that the parametric value relating to the sum of the 20 PFAS, as listed in point 3 of Part B of Annex III to Directive (EU) 2020/2184, is not in line with the latest scientific developments in respect to the list of PFAS to be given priority consideration, the toxicity of these substances, and the variability of this toxicity between the substances in this family. In the absence of a complete and final agreement on the harmonization of standards, a quality standard for the group of 20 PFAS mentioned above is set in Annex I of Directive 2006/118/EC, by way of reference to the parametric value for that group in Directive (EU) 2020/2184 in order to ensure that any change to that value should automatically be incorporated into Directive 2006/118/EC. To take account of the recent scientific knowledge, a** | To be further discussed. |

| | | | | |
|---|---|---|---|---|
| | | | **quality standard for the sum of the four most problematic PFAS is added to Annex I to Directive 2006/118/EC in accordance with the value proposed by the European Food Safety Authority. Future amendments to Directive (EU)2020/2184 should also apply to this sum parameter.** | |
| Recital 8b (Council's Mandate) | | | | |
| 18f | | | **(8b) Taking into account the most recent scientific knowledge, including on new parameters such as TFA, it is of utmost importance that the parametric values for PFAS in Directive (EU) 2020/2184 be promptly reviewed and revised as appropriate and, in that case also the quality standards in Annex I to Directive 2006/118/EC be aligned.** | To be further discussed. |
| Recital 8c (Council's Mandate) | | | | |
| 18g | | | **(8c) Pharmaceutical active substances are of great concern for ecosystems. Groundwater quality standards for pharmaceuticals should therefore be aligned, for the substances most frequently encountered in groundwater bodies, with the values adopted or proposed as environmental quality standards to be achieved in surface waters. This should ensure the** | |

| | | | | |
|---|---|---|---|---|
| | | | **protection of associated aquatic ecosystems and dependent terrestrial ecosystems. Stricter standards are needed to protect sensitive groundwater ecosystems. Member States should work with the Commission under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying such ecosystems. As soon as a reliable method is available, Member States should, where relevant, apply that method. If a Member State identifies the presence of such ecosystems, it should set stricter quality standards or threshold values accordingly, unless the standard has been set to protect human health and is already sufficiently strict to protect the sensitive ecosystems.** | |
| Recital 8e | | | | |
| 18h | | ***(8e) According to the European Medicines Agency (EMA)[1], 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.***<br>_____<br>*1. EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.* | | |

| Recital 11 | | | | |
|---|---|---|---|---|
| 21 | (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 | (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 | (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 | ***The conventional chemical analytical methods used for monitoring substances under this Directive cannot, in general, determine cumulative (or mixture) risk***. Considering the growing awareness of the relevance of mixtures and therefore of effect- |

| | | | | |
|---|---|---|---|---|
| | 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. | 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~~***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*** | States **are encouraged to** ~~should~~ apply such methods **on a voluntary basis** 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 **and could also replace substance-by-substance monitoring. The concept of effect based trigger values should be defined**. ~~The definition of EQS~~ in Directive 2000/60/EC **and the definition of good chemical status** 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. | 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 pharmaceutical substances listed in Annex I to Directive 2008/105/EC. ***The Commission should publish a report on*** ~~T~~that comparison and an analysis of ~~will be used to assess~~ whether effect-based monitoring methods ***deliver data robust and accurate enough to allow them to*** ~~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***, and could also replace substance-by-substance monitoring at many locations. The concept of effect based trigger values should be*** |

| | | | | |
|---|---|---|---|---|
| | | ***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. | | ***defined***~~.. The definition of EQS~~ in Directive 2000/60/EC ***and the definition of good chemical status*** 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. |
| Recital 11b | | | | |
| | | | | Whereas the risk from mixtures of pesticides is to some degree covered in Directive 2006/118/EC by the quality standard for total pesticides, the risk from such mixtures is not addressed in Directive 2008/105/EC. To at least partly address that cumulative risk, an EQS should therefore be set for the sum of the pesticides included in the list of priority substances that are to be monitored in water, and that EQS should be taken into account when assessing chemical status.<br><br>To take better account of mixture risk in future, the Commission should consider setting standards |

| | | | | |
|---|---|---|---|---|
| | | | | for the sum(s) of selected pesticides, potentially based on mode of action and possibly covering more pesticides that those listed individually in Annex I, at the next review; for this reason "sum(s) of selected pesticides" should be added to Annex III to Directive 2008/105/EC. It should also consider whether a risk-based approach could be taken to establishing an EQS for total pesticides, supported by an appropriate monitoring method.<br><br>***Because the generic quality standards of 0,1 µg/L and 0,5 µg/L for individual and total pesticides in groundwater specified in Annex I to Directive 2006/118/EC were established in the 1980s, and limited by the sensitivity of the analytical methods available at that time, they may not be sufficiently protective of human health or the environment, and the Commission should therefore review these values at the next*** |

| | | | | |
|---|---|---|---|---|
| | | | | ***review of the list of pollutants in groundwater.*** |
| | | | | |

| Article 2, first paragraph, point (7), amending provision, numbered paragraph (6a) | | | | |
|---|---|---|---|---|
| 211c | | ***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.*** | | See para 7a below. |

| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7a) | | | | |
|---|---|---|---|---|
| 212a | | | **7a. Member States may from … [OP please insert the date = the first day of the month following 24 months after the publication of the method developed in accordance with Article 13(7) of the Directive (EU) 2020/2184 of the European Parliament and of the Council of** | (See Recital 8 (line 18) – which applies also to SW.)<br>The Commission shall consider establishing a quality standard for PFAS Total in groundwater at the next review, and aim to complement the guidance on monitoring PFAS Total in drinking |

| | | | | |
|---|---|---|---|---|
| | | | **16 December 2020 on the quality of water intended for human consumption], for a period of two years, monitor "total PFAS" using the method developed in accordance with Article 13(7) of the 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. Where the Member States decide to do so, they shall conduct the monitoring at appropriate locations and select a number of sites in representative groundwater bodies.";** , | water, developed in accordance with Article 13(7) of 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, to make it applicable to monitoring PFAS Total in groundwater.<br>Member States are encouraged to already apply that guidance to monitor PFAS Total in groundwater and to report the the data in line with Article 8(4) of Directive 2000/60/EC. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7b) | | | | |
| | | | | The Commission shall consider at the next review whether a risk-based approach could be taken to establishing a quality standard for total pharmaceuticals in groundwater , supported by suitable monitoring methods. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7c) | | | | |
| | | | | The Commission shall consider at the next review whether to establish a quality standard for |

| | | | | |
|---|---|---|---|---|
| | | | | 'Sum of Bisphenols' in groundwater, and whether a risk-based approach could be taken to establishing a quality standard also for 'Bisphenols Total' in groundwater, supported by suitable monitoring methods. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7d) | | | | |
| | | | | The Commission shall consider at the next review whether to revise the quality standards in Annex I to this Directive for pesticides (individual and total) and for non-relevant metabolites in groundwater. |

| *Article 3, first paragraph, point (5), amending provision, numbered paragraph (6a)* | | | | |
|---|---|---|---|---|
| *292a* | | ***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 settting a quality standard for 'PFAS total' and amending Annex I accordingly.*** | | The Commission shall consider establishing quality standards for PFAS Total in surface waters at the next review, and aim to complement the guidance on monitoring PFAS Total in drinking water, developed in accordance with Article 13(7) of 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, to make it applicable to monitoring PFAS Total in surface waters. Member States are encouraged to already apply that guidance to monitor PFAS Total in surface waters and to report the the data in line with Article 8(4) of Directive 2000/60/EC. |
| Article 3, first paragraph, point (5), amending provision, numbered paragraph (6b) | | | | |
| 292b | | ***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.*** | , | ***6b. A parameter 'Sum of Bisphenols' and parameters for the sum(s) of selected pesticides and selected pharmaceuticals shall be included in Annex III to Directive 2008/105/EC. The Commission shall review the possible inclusion of these parameters in the priority substances list at its next review, and set EQS as appropriate. The Commission shall also consider at the next review whether a risk-based approach could be taken to establishing EQS for total bisphenols, total pesticides and total pharmaceuticals in surface waters, supported by suitable monitoring methods.*** |

**GWD Annex I –**

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| [Entry] N° | Name of substance | Category of substances | CAS number ([1]) | EU number ([2]) | Quality Standard ([3])<br>[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)<br>0,5 (total) ([5]) |
| **3** | **PFAS** | | | | |
| 3.1 | **Sum of PFAS**<br>~~Per- and poly-fluorinated alkyl substances (PFAS) - sum of 24~~ ([6]) | Industrial substances | ~~See table note 6~~ | ~~See table note 6~~ | ~~0,0044 ([7])~~<br>**The parametric value as defined in Annex I part B of Directive 2020/2184/EC**<br>Proposal made for separate TFA standard in GW, based on RIVM (NL) value. |

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| **3.2** | **Sum of 4 PFAS** [6.2] | **Industrial substances** | **See table note 6.2** | **See table note 6.2** | **0,0044** |
| 3.3 | Trifluoroacetic acid | | 76-05-1 | 200-929-3 | 2,2** |
| 4 | Carbamazepine | Pharmaceuticals | 298-46-4 | not applicable | ~~0,25~~ **2,5**[13] |
| 5 | Sulfamethoxazole | Pharmaceuticals | 723-46-6 | not applicable | ~~0,01~~ **0,1**[13] |
| 6 | **Primidone**<br>~~Pharmaceutical active substances – total ([8])~~ | Pharmaceuticals | **125-33-7**<br>~~not applicable~~ | | ~~0,25~~ **(2,5)** [13] |
| | Sum of pharmaceutical active substances* | Pharmaceuticals | not applicable | not applicable | 2,5[13] |
| 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]) |

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| **8** | **Trichloro-ethylene and Tetrachloroethylene (sum of two)** | **Industrial substances** | **79-01-6 and 127-18-4** | **201-167-4 and 204-825-9** | **10 (total)([14])** |



**([6.2]) This refers to the following compounds, listed with their CAS number: (355-46-4) Perfluorohexane sulfonic acid (PFHxS); (1763-23-1) Perfluorooctanesulfonic acid (PFOS); (335-67-1); Perfluorooctanoic acid (PFOA); (375-95-1) Perfluorononanoic acid (PFNA); (68259-12-1). For the sum of 4 PFAS, the CAS numbers listed refer only to the protonated form of the individual PFAS but the sum applies to the total concentration of the dissolved substances including protonated and deprotonated forms and their isomers linear and branched.**

** If other PFAS are present, this should be taken into account in the risk assessment.

*The sum shall apply to the sum of the following active substances: carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone and iopamidol.

~~**If groundwater ecosystems are found to be present, consideration should be given to setting a lower standard~~

**ANNEX 10 (Inventories / IED): new**

**Explanation compromise:**

- EP wants to keep the information on inventories of emissions available in the RBMPs, in an electronically accessible database; irrespective of the possible reporting to the Industrial Emissions Portal.
- Council wants to also include the diffuse emissions in the 'simplified' reporting to the Industrial Emissions Portal.
- Council would also accept to include the 'point source emissions below thresholds or outside scope of the IE Regulation' in the Portal; subject to such reporting being done only every six years and in accordance with a format to be set out in an implementing act, in cooperation with EEA who manages the Portal
- Council wants EC to assess, every six years, whether the info on emissions shows sufficient progress towards objectives under Art 4 WFD

**Compromise:**

- Keep the title 'inventories of emissions', to clarify that these will continue to be included (referred to via a link to the Portal) in the RBMPs;
- Include diffuse emissions in the reporting to IE Portal
- Clarify that, for what concerns point source emissions below the threshold/out of scope of the Industrial Emissions Portal Regulation, as well as for diffuse emissions, the Commission will first, in cooperation with the EEA, set out the details of the (six year) reporting in an implementing act, for MS to use as from the fifth cycle;
- Art 7a EQSD already provides for an obligation for the EC to assess whether measures at MS and Union level are sufficient to achieve compliance with objectives and in particular phase out emissions of priority hazardous substances

**Article 5 is amended as follows (green highlighted = EP amendment; blue highlighted = Council amendment and yellow highlighted = EC compromise text):**

(a) paragraph 1 is replaced by the following:

'1. On the basis of the information collected in accordance with Articles 5 and 8 of Directive 2000/60/EC and other available data, each Member State~~s~~ 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 substances identified by the Member State as river basin specific 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 first subparagraph shall not apply to emissions, discharges and losses reported, on a yearly basis, ~~to the Commission~~ electronically to the **Industrial Emissions Portal established under** Regulation (EU) ~~.../...~~**2024/1244** of the European Parliament and of the Council[1], **in accordance with Article 7 of that Regulation."**;

(b) paragraphs 2 and 3 are deleted;

(c) paragraph 4 is replaced by the following:

'4. 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.~~

The reference period for the establishment of values in the updated inventories shall be the year before the year in which the analyses specified under Article 5(2) of Directive 2000/60/EC are to be completed ~~the first subparagraph are to be completed~~.

~~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.~~

As part of these updates, Member States shall ensure that the **point source emissions to water** not falling under the scope of Regulation (EU) 2024/1244 or falling below the annual reporting thresholds set out in that Regulation, as well as the emissions of pollutants from **diffuse sources** in the sense of Article 8 of Regulation (EU) 2024/1244, to water, are also reported electronically to the Commission in order to be made available in ~~included to~~ the Industrial Emissions Portal established under Regulation (EU) ~~.../...++, are published in their~~ 2024/1244, at least **every six years,** ~~and~~ aggregated at the level of each river basin ~~management plans as updated in accordance with Article 13(7) of that Directive~~ district or part thereof lying within a Member State's territory.

~~For point source emissions not reported in accordance with Regulation (EU) .../... +++, because they do not fall under the scope of that Regulation or because they are below the annual reporting thresholds set out in that Regulation, the reporting obligation set out in the first subparagraph of this Article shall be fulfilled by electronic reporting to the Industrial Emissions Portal established under that Regulation.~~

The Commission shall, ~~assisted by the European Environment Agency~~ adopt an implementing act establishing the format, ~~level of granularity and frequency~~ of the reporting referred to in the third ~~fourth~~ subparagraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 9(2).'; When establishing that implementing act, the Commission shall be assisted, where so required, by the EEA.

4a. Member States shall ensure that the river basin management plans established in accordance with Article 13 of Directive 2000/60/EC~~,~~ include a clear reference or weblink to all the emissions to water ~~reported~~ made available in the Industrial Emissions Portal in accordance with paragraphs one and three ~~four~~.

(d) paragraph 5 is deleted

**CROATIA**

**POSITION ON THE COMPROMISE PROPOSALS LISTED IN THE REVISED PRESIDENCY STEERING NOTE from 3 June 2025**

Croatia welcomes the PRES efforts to move forward on Priority Substances in Water Directive Proposal and can be flexible towards some of the Presidency compromise proposals. More concrete considerations are given in the clusters below.

1. **Monitoring cluster:**

| | | |
|---|---|---|
| Effect based Monitoring | 21, 305-307 | HR could support long term introduction of Effect based Monitoring but we have concerns regarding increased financial and administrative implications.<br><br>HR underlines that introduction of effect based monitoring is justified if both the trigger values and method are in place. |

2. **Horizontal issues:**

| | | |
|---|---|---|
| Definitions | 52, 57a, 59 | HR is flexible regarding proposed definitions. |
| GW ecosystems/ecological status of GW and Areas of special concern and high ecological values | 67 a-b, 149a, 154a-b, 176, 195b-g | HR supports the Compromise proposal regarding groundwater-dependent ecosystems, particularly the part relating to the proposal for additional scientific research in order to improve the understanding of these ecosystems.<br><br>We especially emphasize the need for: |

| | | |
|---|---|---|
| | | • a clear definition of the term "significant damage" and criteria for groundwater dependent ecosystems,<br>• the development of a unified and improved methodology for assessing such ecosystems,<br>• the determination of abiotic threshold values,<br>• a better understanding of sources of pressures and groundwater flow towards these ecosystems,<br>• and the identification of necessary measures.<br><br>We consider these elements essential for the implementation of adequate measures to protect the mentioned ecosystems. |
| Non deterioration clause & exemptions | 57b, 63a-d, 65 c-e, 67c-u | HR could show flexibility for Non deterioration clause, and exemptions but would appreciate consideration of adding "ecological status". |
| Access to justice | 106d-106k | HR is still examining the proposal, but due to some concerns regarding implication of this article we are closer to Council mandate. |
| EPR | 195h-j, 195q, 329a-c, 329j | HR could show some flexibility, but we are still examining the proposal due to some concerns regarding implication of this article. |



**3. Substances cluster:**

| | | |
|---|---|---|
| **Synthetic substances (Repository)** | **GWD, Annex II, part D,** | HR supports the proposal to amend Article 3 in accordance with the Compromise proposal. |

| | | |
|---|---|---|
| **Deselection of substances** | **EQSD, Annex I and II** | EQSD - Annex I (65) - HR supports addition of TFA to the list of 24 PFAS.<br><br>HR could show flexibility regarding - EQSD - Annex I (70) Sum of active substances in the pesticides and biocides, but HR recommends that before introducing any sum parameters, comprehensive toxicological evaluations, clear selection criteria, and scientifically justified limit values are developed and validated. This will ensure that regulatory measures are both meaningful and enforceable, preventing unintended consequences and maintaining trust in the regulatory system. |
| **Pharmaceuticals**<br>**Pesticides**<br>**Bisphenols**<br>**PFAS** | **18, 18a-h, 21, 211c, 212a, 292a-b** | Ad Pharma, Pesticides, Bisphenols<br>HR could show some flexibility but still examining the proposal due to some concerns regarding implication of these elements.<br><br>Ad PFAS<br>Total PFAS: available analytical methods for determining total organic fluorine might lead to both overestimating and underestimating the actual PFAS concentrations present depending on the conditions. Furthermore, the sensitivity of the available analytical methods for total organic fluorine is insufficient to determine relevant concentrations in the 1-100 ng/L range. Enforcement of such parameters without technical readiness could lead to non-uniform application or legal uncertainty. |

| | | |
|---|---|---|
| | | Many PFAS, bisphenol analogues, and pharmaceutical substances lack sufficient toxicological characterization. Without health-based guidance values or robust RPFs, the summation of such substances risks misleading risk assessment and undermines scientific credibility.<br><br>Annex III (Totals/sum)<br>HR recommends that before introducing any sum parameters, comprehensive toxicological evaluations, clear selection criteria, and scientifically justified limit values be developed and validated. This will ensure that regulatory measures are both meaningful and enforceable, preventing unintended consequences and maintaining trust in the regulatory system.<br><br>The inclusion of total PFAS, can be a forward-looking step—if properly supported. We must avoid repeating the cycle of late recognition and inadequate preparedness that has characterized the regulation of endocrine disruptors to date. |

4. **Reporting cluster:**

| | | |
|---|---|---|
| **IED and energy transition related reporting** | **179a, 253-254, 257-261, 321a** | Croatia supports the interlinking of directives, but further consultations with EIA experts need to be concluded before taking a final position. |

# ITALY

**Priority Substances in Water Directive: WPE on 2 June 2025 – Presidency Steering Note**

***Follow up to the WPE on 2 June 2025 – Revised Presidency Steering Note and CALL FOR COMMENTS***

## 1. Monitoring cluster

**FLEXIBILITY**

Italy fully supports the Presidency's compromise proposal regarding the mandatory use of effect-based methods (EBM) for monitoring the presence of three estrogenic substances in surface water bodies (7-β estradiol (E2), estrone (E1), and α-ethinylestradiol (EE2)), starting from 2030. EBM methods allow the assessment of cumulative effects of substances that exert the same action on aquatic organisms and can be used in the future as screening tools, reducing the monitoring costs associated with conventional analytical methods. The advantage of these screening methods relies on their ability to include the effects of all substances that exert the same action and produce similar effects on organisms, rather than just those listed in Annex I of Directive 2008/105/EC. The mandatory nature of this provision would, therefore, allow the Commission to gather sufficient data useful for i) the scientific validation of these methods, ii) the definition of trigger values, and iii) the assessment of the comparability of EBM with conventional analytical methods, aiming at broadening their use also to other class of substances. It is indeed really appreciated the amendment of Article 3, first paragraph, point (6), amending provision, numbered paragraph (3b), third subparagraph, which encourages the development and use of other kind of EBM, not only intended for estrogenic substances. It is essential to emphasize that Italy has actively contributed to the development of technical reports on the use of EBM within the activities of the working group on chemical substances of the Common Implementation Strategy. Finally, the inclusion of the provision for the publication of technical guidelines by the Commission is appreciated, as it ensures a homogeneous application of EBM at the community level for estrogenic substances.

## 2. Horizontal issues

### a. Definitions

**FLEXIBILITY**

Italy is in favor of including a definition of trigger values that is separate from the definition of environmental quality standards, along with the consequent amendment to the definition of good chemical status. Trigger values and environmental quality standards assess different aspects of ecotoxicity.

### b. GW ecosystems (*ecological status of GW and Areas of special concern and high ecological values)*

**FLEXIBILITY**

recital 20: Italy agrees with Presidence compromise text to support *further negotiations , Especially with regard to the proposal of the parliament on groundwater ecosystems, which, as mentioned in the previous WPE, Italy does not support.*

Annex I point 3: Italy thinks it may be necessary in light of the new recital 20 and we are therefore flexible to the proposal of the presidency.

Footnote Annex I: Italy thinks it may be necessary in light of the new recital 20 and we are therefore flexible to the proposal of the presidency.

Footnote annex II (part D): Italy thinks it may be necessary in light of the new recital 20 and we are therefore flexible to the proposal of the presidency.

**c. Non – deterioration clause & exemptions**

RED LINE

**General considerations (Non-deterioration)**

In our understanding, the combination of art. 4.7 with the Weser sentence extends the field of application of art. 4.7 (first indent) also to the chemical status of surface water bodies.

Art. 4.7, first indent, states *" failure to achieve good groundwater status, good ecological status or, where relevant, good ecological potential or to prevent deterioration in the status of a body of surface water or groundwater is the result of new modifications to the physical characteristics of a surface water body or alterations to the level of bodies of groundwater [..] ".*

In addition to that, the sentence C-461/13 (Weser) clarifies that "*Article 4(1)(a)(i) to (iii) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the fi eld of water policy must be interpreted as meaning that the Member States are required — unless a derogation is granted — to refuse authorisation for an individual project where it may cause a deterioration of the status of a body of surface water or where it jeopardises the attainment of good surface water status or of good ecological potential and good surface water chemical status by the date laid down by the directive".*

This clarifies perfectly that art. 4.7 pertains both to the chemical status of groundwater (explicitly) and, by means of the Weser sentence, to surface water. In any case, the concept of deterioration refers both to chemical and ecological status of surface water and to both chemical and quantitative status of groundwater.

Dredging, digging, moving sediments/water are new modification to physical characteristics of a surface water body or alterations to the level of bodies of groundwater and the direct effect of such modification, when water and/or sediments are polluted, is contamination, which can lead to failure in the status of water bodies or deterioration.

Therefore, if all its requirements are verified, art. 4.7 can well be used.

Introducing the revisions to art. 4.7 with the new 4.7.a and 4.7.b not only is not needed, but it could raise a lot of interpretative questions, and also a deep inconsistency with the already implemented concepts of , e.g."overriding public interest", which is a pre-condition for the application of the exemption and disappears in the formulation of the proposal of new art 4.7a and 47b - as does the concept of adverse impact.

In short, wethink we should not touch art. 4.7 and just use the combination of art. 4 and the relevant sentences of the EU Court of Justice, and/or have specific cases included in a revision of CIS Guidance 36 on Art. 4.7.

In the next page we report our comments on the wording of the new revised art 4.7a and 4.7 b

**For details see comments on table ANNEX 4 below**

**d. Access to justice**

**FLEXIBILITY**

Italy agrees with the Council's position and recognizes the need to align with existing European regulations in matter of access to justice. IT is therefore in favour of the Council's proposal to base the provisions in this Directive on already adopted provisions included in the Urban water waste treatment Directive.

**e. Extended producer responsibility**

**FLEXIBILITY**

Italy supports the adoption of extended producer responsibility (EPR) to cover, at least in part, the costs arising from pollutants monitoring, both in surface and groundwater, also considering the polluter pays principle. Nonetheless, IT agrees with the Presidency's proposal to tasking the Commission to assess the feasibility of including the EPR mechanism to this Directive and to prepare a report on that issue.

**3. Substances cluster**

**a. Synthetic substances (Repository)**

**b. Deselection of substances**

**FLEXIBILITY**

Italy agrees with the reintroduction of substances numbered 3, 4, 9a, 9b, 10, 11, and 19 in the list of priority substances (Annex I dir. 2008/105/CE, thus endorsing the more precautionary approach adopted by the Commission in the original proposal, especially for those substances falling under the Stockholm Convention (cyclodiene pesticides and DDT) and for those classified as carcinogenic but still in use (benzene, 1,2-dichloroethane, dichloromethane).

**c. Pharmaceuticals**

**FLEXIBILITY**

Pharmaceutical substances for both surface- and ground waters are part of the compromise **proposal of total/sums**.

Regarding superficial waters Italy agrees with the possibility to assess the combined effects of pharmaceuticals by effect-based methods, when they will be properly validated.

Regarding groundwater, in general, we continue to believe that the sum has no toxicological value, and above all it depends on how many and which substances you measure. For pharmaceuticals, the classes of substances are very different from one another, with varying toxicities and end points. The collective limit is a compromise choice, but it must be clearly defined which and how many substances are analyzed to avoid heterogeneity among member states. About QS for the single pharmaceutical (Carbamazepin, Sulfamethoxazole, Primidone) subastances in annex I and for individual pharmaceutical active substances in annex II part D, Italy thinks thath the COM's proposal to apply a protection factor of 10 to the QS and for TV set for pharmaceuticals is more precautionary. The available data today on pharmaceuticals in groundwater are scarce, so the precautionary principle is considered more justified.

**d. Pesticides**

**FLEXIBILITY**

Italy agrees with presidence compromise in terms of a new deadline for the Commission to establish **a list of non-relevant metabolites of pesticides** for the **Groundwater Directive**.

We are moderately in favor of introducing a collective EQS for pesticides **for surface water**, possibly limited to sources of water intended for drinking water also for harmonization with drinking water directive, but clarifying for which and/or how many substances there is a monitoring requirement and defining the scope less generically. The collective limit for a family/class of substances with very different structural characteristics, such as pesticides, cannot have any reference to the toxicology of individual molecules. That is, it is an arbitrary limit, not derived from a traceable procedure starting from (eco)toxicological studies and measurements. On the other hand, the choice of having a collective limit responds to practical needs and is functional for risk prevention, especially with regard to the introduction of new substances. Deriving a toxicological limit for each substance would require producing for each substance a sufficient number of tests, and above all would generate a losing chase between researchers and companies regarding the introduction of new substances. There is a risk, for example, that toxicological investigations of an active substance could be completed when a new molecule has already been introduced**. Therefore, it is essential to address the knowledge gap of the cocktail effect and multiple exposure, not adequately covered by the current legislation. Thus, IT supports the proposal to introduce an EQS for the sum of pesticides already included in Annex I of the EQSD, aiming at considering also the mixture risk. We are also in favour of setting an EQS for a higher number of pesticides, preferably selected on the base of their mode of action, taking into account the additive toxicological effect. In conclusion Italy agrees with Presidency compromise in terms of a new deadline for the Commission to consider setting a total pesticides EQS in surface waters, supported by an appropriate monitoring method.**

**e. PFAS**

**FLEXIBILITY**

Regarding the possibility of introducing an **EQS for PFAS-Total** the same considerations expressed for pesticides apply. It cannot be a limit based on (eco)toxicological data, but it can be a pragmatic choice to include all substances that are not yet known, not yet measured, or that will be introduced in the future. In the case of PFAS, the peculiarity is that this parameter depends on the method chosen for measurement and therefore should be expressed in different ways depending on the method chosen. At this regard, the SCHEER has recently published the dossier on total PFAS parameter. The SCHEER suggests not establishing a parameter for total PFAS because the methodologies are not yet sufficiently robust thus leading to underestimation or overestimation of the actual concentration of PFAS in a sample. Therefore, we believe that, at the moment, it is not possible to encourage Member States to measure the total PFAS parameter, considering these technical issues. **In conclusion, Italy could agree with the Presidency's proposal to foresee that the Commission consider establishing quality standards for PFAS Total in surface waters and groundwater at the next review.** In the end, Italy appreciates the inclusion of the quality standard for TFA and the related note to take into account other PFAS in the total following the risk assessment.

**f. Bisphenols**

Bisphenols are part of the compromise **proposal of total/sums**.

**FLEXIBILITY**

Italy supports the Presidency's proposal to tasking the Commission to review the listing of bisphenols at the next review and consider establishing an EQS for 'Bisphenols Total' or at least for the 'Sum of Bisphenols' for superficial waters. For groundwater and surface water, it should be supported by an appropriate monitoring method for the upcoming review regarding.

h. **Several changes have been proposed to the annex I of EQSD-ANNEX 8**

We support the inclusion of TFA to the parameter sum of PFAS (**entry 65 Annex I EQSD**), with its RPF equal to 0.002.

We support the introduction of the parameter sum of pesticides (**entry 70 Annex I EQSD**) and the corresponding note 33 with the exception of substances 16, 30, 34, 44 and 60. Regarding the AA-EQS for inland surface waters and other surface waters proposed for the sum of pesticides, it is noted that the proposed values are lower than those suggested for substances 36 and 38. Therefore, a revision of these values is acknowledged. The same applies to substances 3, 10, and 19.

**ANNEX 4 (Non-deterioration) WITH COMMENT**

**Preambule 14 d is amended as follows (highlighted in blue proposed changes to the Council mandate)**

(14d) The judgements of the Court of Justice of the European Union, combined with additions to the lists of substances as well as stricter standards for existing pollutants, have highlighted the difficulty for Member States of complying with the non-deterioration objective of Directive 2000/60/EC, may hamper the implementation of certain activities and entail a considerable administrative burden for Member States.

**Commented [Italy1]:** This difficulty has been highlighted by some MS only, especially in continental Northern Europe, where the failure of environmental objective is due to severe and widespread chemical pollution (see EEA dashboard)

**Commented [Italy2]:** The judgments of the European Court of justice allow the use of art. 4.7 exemption in the case of "certain activities" (*new project or a modification to an existing project* as proposed in the new in 7a and *relocating water or sediment by human activity within or between surface water bodies, or from a groundwater body to a surface water body* as in the new 7b; they are both included in the category of "*new modifications to the physical characteristics of a surface water body or alterations to the level of bodies of groundwater",* as in 4.7) therefore there is no need to revise the article. The proposed revisions, which have no scientific or legal reference, will require huge interpretative consults; moreover, because they remove the principle of overriding public interest, they are going to increase exponentially the administrative and jurisdictional burden for MS

| | |
|---|---|
| This is especially the case if short-term effects of activities occur or if pollutants are relocated within or between waterbodies without however causing an overall increase in pollution. | This introduces the concept of "short term effects" of "activities" with no reference to the concept of deterioration. Moreover, the case of relocation within the same water body is allowed by definition, because the water body is the entity which reacts homogeneously to pressures. Nevertheless, what is not allowed by the WFD, is to average the pollution between water bodies to evaluate "an overall increase of pollution". The evaluations are always related to one water body. |
| As a result of the relocation, the pollution in the source-water body might be reduced and the pollution in the receiving water body might increase whilst the overall pollution mass balance is null. | Same as above. This is absurd. There cannot be such an average. |
| When relocating groundwater or sediment containing ubiquitous PTB substances, other substances present are also relocated. It is therefore not possible to focus solely on uPBT substances. | Not necessary and redundant, We don't understand the reasons for the inclusion |
| As far as possible, remediation measures should be taken to mitigate the adverse effects. | |
| Activities such as discharge of PFAS contaminated drainage water from construction works or the displacement of dredged sediments for flood safety | The *discharge of PFAS contaminated drainage water from construction works or the displacement of dredged sediments for flood safety or navigation* |

| | |
|---|---|
| or navigation should be allowed, provided the necessary and proportionate safeguards are in place and their compliance can be verified so as to avoid a lowering of the level of ambition of the Directive 2000/60/EC. | are already ensured by art. 4.7, provided the respect of all its conditions, particularly condition c) *"the reasons for those modifications or alterations are of overriding public interest and/or the benefits to the environment and to society of achieving the objectives set out in paragraph 1 are outweighed by the benefits of the new modifications or alterations to human health, to the maintenance of human safety or to sustainable development,* and [..].<br><br>The above mentioned activities must comply the criteria of overriding public interest which is at the basis of sustainability.<br><br>Such conditions of art. 4.7 provide safeguards to keep the levels of ambition of the Directive high. The attempts to change art. 4.7, which cancel condition c) of the article, will destroy the whole legislative plant of WFD. |
| Activities like dumping of contaminants into the water body, including sewage sludge, should not be allowed. | They are already not allowed. |
| Preambule 28a is amended as follows:<br>(28a) Member States experts should be involved in the regular cooperation facilitated by the Common Implementation Strategy for Directive 2000/60/EC and in particular in the working groups established under it, and thus closely involved especially in the revision of the watch lists, the updates of the lists of pollutants, and the establishment of the reporting formats and the exchange on good practices on the application of exemptions. | This already occurs. MS are already involved in all the listed activities (and in more than those), through the Common Implementation strategy of the WFD. Specification of the possible activities, which are instead already ongoing, not only is useless but it is not exhaustive and so can exclude other activities. Moreover, the activity on exemptions is already ongoing |
| Article 4.7.a is amended as follows (highlighted in blue proposed changes to the Council mandate): | **We reject the whole revision of art. 4.7** |
| "7a. Member States will not be in breach of this Directive if any negative short-term impacts on ~~one or more quality elements~~ the chemical status of a water body or water bodies caused by a new project or a modification to an existing project in that or those water bodies is no longer detectable after one year~~, or maximum three years for the biological quality elements~~, beyond initiation of the execution of the project, and all the following conditions are met: | If a new project or modification to an existing one (which is itself a new modification because it implies digging or relocating sediments/water), which consist in physical modification of water bodies, implies mobilization of contaminated water or sediments, and as a consequence it will have a "short-term impact on chemical status", this means it will "temporarily" deteriorate the status up to a change of class. These conditions already allow MS require art. 4.7 exemption, as clarified by the judgments of the European Court of Justice.<br><br>These revisions introduce confusion: what is a negative short-term effect on the status? In WFD jargon, we call it temporary deterioration of environmental objectives and there are already sentences of the ECJ on this which allow using art. |

**Commented [Italy3]:** When does negative impact become deterioration? What is the relationship between negative impact and deterioration since I will also introduce scientific evidence? How do I calculate it?

| | |
|---|---|
| | 4.7. Moreover, stating that if *after one year the effect is not detectable* means that there is no more risk on water bodies, is scientifically not meaningful, because monitoring must be carried out before and after the disturbance and in "stable" conditions of the water body morphology, and this depends on the type and duration of the activity and the type of water bodies. |
| a) the negative impacts are not the result of direct discharges, emissions or losses of a pollutant; | This is already forbidden |
| b) there are no ~~significantly~~ better environmental options for reasons of technical. feasibility or disproportionate cost; | This lowers the ambition, because in the former formulation of art. 4.7 the projects causing deterioration are only allowed if they are the only alternative to reach a beneficial objective for society (art. 4.7, condition d): *the beneficial objectives served by those modifications or alterations of the water body cannot for reasons of technical feasibility or disproportionate cost be achieved by other means, which are a significantly better environmental option).* Here the public administration will have to protect environment and protect itself from the myriads of request for projects which are not of societal interest. |
| c) all practicable ~~measures~~ steps are taken to mitigate the negative impacts on the status of the water body or water bodies; | In the last 25 years we have been referring to the concept of "adverse", which is linked to deterioration. What does negative mean? Introducing generic terms and the lack of clear links between this wording and the preceding text will trigger a chaos in legislative interpretations. |
| d) the potential impacts are assessed ex ante, on the basis of scientific evidence ~~and on this basis~~ it is concluded that there will be no negative impact for the concerned water body beyond one ~~year for the biological quality elements; , or beyond maximum three years~~ | Here the principle of precaution is totally ignored. In 4.7 the exemption is asked because there is high certainty that the project will cause deterioration/lowering of status. Therefore, if this does not happen, and the status is not going to be impaired, the involved water bodies will only be benefited. Here, it is stated that there will be no negative impact beyond one year. How does the *negative impact* relate to *deterioration* and *lowering of status*? If there is no impact beyond one year, it means temporary deterioration and art 4.7 can be used. No need to revise it. |
| e) ex post verification is carried out; | Of course. This is already the case, given that the work have put the water boy at risk and so WFD requires *operational monitoring*, after the works, forever or until the water body reaches its objective. |
| f) a summary of the main activities carried out in line with the provisions of this paragraph and the measures taken to mitigate negative impacts is included in the river | If the project is not deteriorating the status of the involved water bodies, why are measures taken to mitigate negative impacts? When? Which kind of measures? |

| | |
|---|---|
| basin management plans required under Article 13 of this Directive. | |
| Article 4.7.b is amended as follows (highlighted in blue proposed changes to the Council mandate): | **We reject the whole revision of art. 4.7** |
| "7b. Member States will not be in breach of this Directive when deterioration occurs in the status of a surface water body as a result of relocating water or sediment by human activity within or between surface water bodies, or from a groundwater body to a surface water body, without causing a net increase in pollution, and all the following conditions are met: | First of all, relocation of water and sediments within the same water body is already allowed, given that a water body is homogeneous in status in response to the pressures it undergoes; secondly, there is no legal basis to the concept of "net increase in pollution" between water bodies. How do we measure pollution? Concentration of pollutants? We are not allowed to average the conditions between the giver and the receiving water body! |
| a) all ~~practicable measures~~ steps, ~~including~~ in particular the treatment of the water or sediment if ~~relevant and~~ feasible, are taken to mitigate adverse impacts on the status of the water body or water bodies; | This already occurs in MS. If works envisage the mobilization of polluted water or sediments, they must be treated or insulated. If this is not feasible, pollution should not be allowed unless all the conditions of art. 4.7, in particular the societal relevance of the works, is verified. |
| b) the composition of the relocated water or sediments is established, and the relocation does not ~~significantly~~ increase the overall risk to human health and the environment compared to the existing risk prior to the relocation; | Here the focus has been moved from the status to the risk. How is this going to be measured? It is very risky, it is against the principle of *precaution* and *no deterioration* |
| c) the receiving water body is confirmed as already not being in a good ecological status or potential, neither in good chemical status [with respect to a large proportion of the pollutants relocated] and the ecological status or potential of the reciving water body ~~cannot be classified~~ is not expected to fall into a lower class as a result of the relocation of those pollutants; | This is very chaotic and unclear. Again, it completely neglects the principle of precaution and no deterioration. There is no certainty on the lack of deterioration in the receiving water body but certainty that it will be impaired is high instead. |
| d) bodies of water identified for the abstraction of water intended for human consumption, as well as those bodies of water intended for such future use, as referred to in Article 7(1), are excluded from this exemption; | This is already quite obvious and for countries like Italy, Spain and France it would mean no private wild expansion because we want to protect many of our waterbodies, where the quality of water for civil purposes is very high. In the north of Europe it is not, they drink treated water.<br>What about water for agriculture or for food or pharmacological industry?<br>Moreover, there is a paradox. We introduce the concept of protecting groundwater ecosystems and on the other hand, by this proposal of revision of art. 4.7, we allow polluting groundwater bodies. |

| | |
|---|---|
| e) the details, including the reasons, for the relocation are set out and explained in the river basin management plan required under Article 13; | |
| f) there are no ~~significantly~~ better environmental options for reasons of technical feasibility or disproportionate cost; | This lowers the ambition, because in the former formulation of art. 4.7 the projects causing deterioration are only allowed if they are the only alternative to reach a beneficial objective for society (art. 4.7, condition d): *the beneficial objectives served by those modifications or alterations of the water body cannot for reasons of technical feasibility or disproportionate cost be achieved by other means, which are a significantly better environmental option).* Here the public administration will have to protect environment and protect itself from the myriads of request for projects which are not of societal interest. |
| g) the relocation is subject to prior regulation or authorisation." | This detail is obvious and regards MS organization, it is out of context here. |

**CYPRUS**

**Comments for the WP 2/6/2025 on the**
**Priority Substances in Water Directive**



Cyprus is still analyzing the text and may come back with additional comments.

1. Monitoring cluster:

a. In Cyprus we do not have established effect-based monitoring methods for estrogenic substances.

b. We are applying non-specific EBMs developed by our State General Laboratory for many years now, along with analyses of a large suite of parameters by traditional analytical methods. We have however not been able to relate toxicity detections from these EBMs to specific substances i.e. the causes of the detected toxicity could not be identified (except in one specific case of toxins from phytoplankton).

c. The JRC-led process on effect-based methods for estrogenic hormones has not yet shown repeatability between different national methods. Therefore, comparability between Member States' results from effect-based monitoring methods for estrogenic substances is not ensured yet and this greatly reduces the expected value of such monitoring results.

d. The compromise proposal in the present steering note foresees monitoring by MSs using effect-based monitoring methods for a period of two years and to be carried out in parallel with analyses using conventional analytical methods, and the resulting data are to be used by COM for compilation of a report comparing results from conventional and EBM. Cyprus does not deem it sensible to set up analytical capacities in the MSs to undertake measurements using effect-based methods, in parallel to analyses using conventional analytical methods, for a limited period of time with the purpose to compile a comparative report. Such endeavors should be undertaken in the framework of dedicated research projects or in the framework of initiatives such as the ongoing interlaboratory exercises organized by JRC, which include estrogenicity EBM and are planned to be extended to all MSs.

In our view, the above reasons strongly argue against including effect-based monitoring methods for estrogenic substances as obligatory.

Therefore, Cyprus does not support the compromise proposal and insists that monitoring of estrogenic substances using effect-based monitoring methods should be on a voluntary basis only. **This is a red line for Cyprus.**

2. Horizontal issues:

2a) Cyprus can be flexible on the Definitions

2b) Cyprus can support the compromise for GW ecosystems, under the condition that the precision "such ecosystems should be looked for in the areas where their presence can be expected." remains included**. The inclusion of the precision is a red line for Cyprus.**

2c) Cyprus can be flexible on the compromise proposal in Annex 4 of the steering note. However, we are concerned that the new additional safeguards in the compromise proposal

create too restrictive conditions which will make the application of these exemptions very difficult. The new additional safeguards should be reconsidered.

With respect to the definition of "Deterioration of the status of a body of water" in row 57b, CY supports that the status assessment as defined in WFD is sufficient for the scope of WFD. We do not support the inclusion of the new definition.

2d) Cyprus, in the spirit to reach a compromise, can be flexible to support the Presidency position on "Access to justice".

2e) Cyprus, in the spirit to reach a compromise, can be flexible to support the Presidency position on "Extended producer responsibility".

3. Substances cluster:

3a) Scrutiny reservation on synthetic substances (repository)

3b) Cyprus can be flexible on the compromise proposal with respect to "Deselection of substances"

3c) Groundwater: Cyprus can be flexible on the compromise proposal with respect to "Pharmaceuticals".
3c) Surface water: Cyprus does not support the compromise proposal (see above: Cyprus does not support the compromise proposal and insists that monitoring of estrogenic substances using effect-based monitoring methods should be on a voluntary basis only)

3d) Cyprus can be flexible on the compromise proposal with respect to setting EQS for the sum of the pesticides in the EQSD that are already included in the list of priority substances to be monitored in water

3e) With respect to PFAS, Cyprus notes (I) the lack of analytical capacity in the country, (II) the extremely high cost of these analyses and (III) the very demanding sampling protocol for these substances. All these makes PFAS monitoring a very time consuming and costly process for a small MS like the Republic of Cyprus. Therefore, Cyprus opposes the addition of PFAS to the list of groundwater pollutants and to the list of priority substances in surface waters.

3f) Bisphenols. Cyprus can be flexible on the addition of Bisphenol-A in Annex I to Directive 2008/105/EC and does not oppose to monitor Bisphenol B and Bisphenol S as RBSPs, where potentially relevant.

With respect to substances and in addition to the above, Cyprus repeats its strong opposition to the amendment in Annex 1 of Directive 2008/105/EC of the Nickel threshold (in particular: Annual Average value EQS (inland surface water) = 2 µg/l). We share and fully support the views expressed by Greece i.e.: The existing EQS of 4 µg/L is sufficiently protective and already well below the EU drinking water standard (20 µg/L) and the WHO guideline (70 µg/L). The Ni EQS was already made more stringent during the last update of the EQS Directive in 2013 and we strongly believe that a new revision must not take place in the present amendment process, considering that is likely to lead to a great increase in non-

compliance, increasing costs for required control measures with unclear environmental benefits.

With respect to issues not mentioned above, Cyprus generally supports (and prefers to stick to) the Council Mandate which was agreed in Coreper on 12/6/2024.

5. Reporting cluster: Scrutiny reservation

**With respect to issues not mentioned above, Cyprus generally supports (and prefers to stick to) the Council Mandate which was agreed in Coreper on 12/6/2024.**

**LUXEMBOURG**



PRESIDENCY STEERING NOTE

WORKING PARTY ON THE ENVIRONMENT (WPE) – 2 June 2025 (pm)

PRIORITY SUBSTANCES IN WATER DIRECTIVE 2022/0344(COD)

1. Monitoring cluster:

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| Effect based monitoring (EBM) | **X** | | Luxembourg welcomes the addition of compulsory effect-based monitoring (EBM) for hormones.Further explanation regarding the monitoring methods are necessary. |

2. Horizontal issues:

a) Definitions

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| Art.2 (24) | X | | |
| Art.2 (35) | X | | |
| Art.2 (35b) | X | | |

b) GW ecosystems

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| | X | | LU agrees with the compromise text of PRES |

| | | | |
|---|---|---|---|
| | | X | LU does not agree with Parliament's request that the stricter standards should be a factor 10 multiplication. There is no scientific proof. |

c) Non – deterioration clause & exemptions

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| Preambule 14 (Annex 4) | X | | |

d) Access to justice

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| | X | | LU agrees with PRES compromise text |

e) Extended producer responsibility

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| | X | | LU agrees with PRES compromise text |

3. Substances cluster:

**a) Synthetic substances (Repository)**

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| Line 152 to 154 | | | |
| Line 156 | | | |
| Part B point2 | | | |
| Part D | X | | LU agrees with PRES compromise text |
| | | | |

b) **Deselection of substances**

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| Isoproturon | X | | LU highlights the additional administrative and financial burdens. |

c) **Pharmaceuticals**

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| Groundwater | X | | Essential LU: It has to guaranteed that MS use the same substances to calculate the parameter "pharmaceutical total "in the perspective of a harmonized approach on a EU level. |
| Surface Water | **X** | | Essential LU: EU wide approach to determine which pharmaceuticals has to bee monitored. The selection of the substances has to be linked to the results of a risk based monitoring. |
| | | | |

d) **Pesticides**

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|

| | | | |
|---|---|---|---|
| Proposal of total/sums. | **X** | | Essential for LU: It has to guaranteed that MS use the same substances to calculate the sum/total in the perspective of a harmonized approach on a EU level.<br>Essential LU: Surface water: The selection of the substances has to be linked to the results of a risk based monitoring. |
| List of non-relevant metabolites of pesticides | X | | Essential for LU: List to established by COM<br>Limited Flexibility on deadline (<12 months): TFA is a urgent concern to be solved as soon as possible. Consider establishing first a partial list including the evaluation of the classification of TFA |

e) **PFAS**

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| | **X** | | Essential for LU: It has to guaranteed that MS use the same substances to calculate the |

| | | | |
|---|---|---|---|
| | | | sum/total in the perspective of a harmonized approach on a EU level |
| | **X** | | Essential LU: It has to decided on a EU wide level if TFA is considered in the parameter sum/total of PFA with a compensation adequate to it's moluecular proprietiey |
| | **X** | | Similar to the DWD, MS should be able to choose between the parameter "sum of PFA" and "total PFAS" |

f) **Bisphenols**

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

g) **Summary of the Total/ Sum compromise proposal:**

| | **Flexibility** | **Red Line** | **Comments** |
|---|---|---|---|
| | X | | |

# MALTA

**Written comments following the Working Party held on 2 June 2025 as per revised PRES Steering Note wk07085-re01.en25.**

**Annex IV - Additions to Article 4.7a and 4.7b – non-deterioration**

Malta has the following suggestions to put forward:

**Article 4.7a:** The temporary deterioration of the water body should be assessed within one year from the finalisation of the project rather than the initiation of the execution of the project to avoid capturing any temporary impacts associated with the development of the project itself. (proposed text in red):

*'Member States will not be in breach of this Directive if any negative short-term impacts ~~on one or more quality elements~~ the chemical status of a water body or water bodies caused by a new project or a modification to an existing project in that or those water bodies is no longer detectable after one year, ~~or maximum three years for the biological quality elements~~, beyond ~~initiation~~ finalization of the execution of the project.'*

Article 4.7a line (e) on ex post verification - Malta suggests that this is limited to activities for which the ex-ante assessment identifies risks on the water body. **Potential text hereunder:**

*e) in cases where the ex-ante assessment, on the basis of scientific evidence, concludes that the risk for a negative impact on the concerned water body beyond one year cannot be definitely excluded, an ex post verification is carried out.*

**THE NETHERLANDS**

**Written Comments on the revised Presidency Steering Note WK 7085/2025 REV 1**

**13th of June 2025**



## 1. Monitoring Cluster

**Effect based Monitoring:**

| | | |
|---|---|---|
| Effect based Monitoring | **21, 305-307** | **NL: flexible but EBM should not be added to the current obligations.** |

NL: In general, we support EBM. It may be cost-effective, both for monitoring and assessment. We support a scientific bases for EBM and therefore it is needed to double monitoring efforts for a while. However, we do not want that both monitoring and assessment will be just added to the current obligations. EBM should eventually (partly) replace this.

Therefore, we support the amendment in row 21 to use standardized methods that could replace substance-by-substance monitoring. However, if this is made mandatory, we cannot support the new definition of the chemical status in art 2(24). This is topic 2a (definitions). The trigger values are now added to the current obligations. Using one-out-all-out, this means that both individual substances and trigger values have to be applied in the assessment. This can only result in a lower score for the chemical status. We want to use OR before "effect-based trigger values" in conjunction with mandatory monitoring. This expresses that effect based assessment will only be included instead of substance-by-substance assessment.

Overall, a clarification on effect based monitoring and its role in assessment will be appreciated. We feel that in the current text it may not possible to replace monitoring and assessment in relation to the obligation of Annex V of the WFD.

## 2. Horizontal Issues

| | | | |
|---|---|---|---|
| 2.a | Definitions | **52, 57a, 59** | **NL: Flexible, except for the chemical status and effect based monitoring we are flexible on the proposed definitions.** |
| 2.b | GW ecosystems / ecological status of GW and Areas of special concern and high ecological values | **67a-b, 149a, 154a-b, 176, 195b-g** | **NL: Support for not including 10 times lower values for groundwater.** |
| 2.c | Non – deterioration clause & exemptions | *57b*, 63a-d, 65c-e, **67c-u** | **NL: Red line** |
| 2.d | Access to justice | **106d – 106k** | **NL: Flexible** |
| 2.e | Extended producer responsibility | **195h–j, 195q, 329a-c, 329j** | **NL: Flexible** |

2.a Definitions

NL: Flexible

2.b GW ecosystems / ecological status of GW and Areas of special concern and high ecological values

NL: We support the Presidency in not including stricter standards with a factor 10 multiplication related to groundwater ecosystems. Moreover, we prefer that this is not part of the proposal, but instead only topic in the CIS work program. We note that the text in the 4 column document is not (yet) adjusted according to the Presidency proposal (recital 8e (line 18f), lines 67b, 149a,154a-b, 195b-g).

2.c Non – deterioration clause & exemptions

NL: We repeat that this is a red line for us. Although we are open to improve the formulations of the exemptions, the now proposed more stringent conditions compared to the Council proposal make the exemptions become too difficult to apply. Their conditions have become too restrictive, whilst their only goal was to overcome real practicable problems MS encounter due to chemical pollution, without endangering the WFD objectives. New projects, building construction and maintenance dredging activities should be facilitated and distinguished from new emissions of pollutants. Also, temporary effects should be allowed for a limited period. We believe the exemptions as proposed in the Council position already offer sufficient guarantees to protect water quality status.

Previously, NL has been flexible on the subjects of watchlists, monitoring and reporting. However, a reservation has been made for a workable exemption.

More in detail, with respect to 4.7a and b:

- Article 4.7a
    - No support for restriction to chemical status. „Ecological status/potential" to be added again.
    - Therefore also no support for deletion of biological quality elements. Compromise for short term could be 2 instead of 3 years. One year too short.
    - Letter b) - We disagree with the new condition. This additional condition is not proportionate to short-term and only temporary deterioration. It would require too many resources.
    - Letter c) - We agree.
    - Letter d) - We disagree with the proposed changes. The requirement for scientific evidence is again disproportionate to short-term temporary deterioration. We again request that the biological indicators be reinstated.
    - Letter e) - We disagree with the new condition.
- Article 4.7b
    - Letter a) - We disagree with the removal of "practicable". This is a standard addition to "steps", so legal consistency. Furthermore needed for the wider scope.
    - Letter b) - We disagree with the deletion of the word "significantly". In such a case, the exemption would not fulfill its purpose and would be overly strict.
    - Letter c) - We disagree with the changes.
    - Letter d) - We disagree with the new condition. We dredge our large rivers and we make drinking water from those water bodies.
    - Letter f) – We disagree with the deletion of the word "significantly". Same text in Article 4.5 WFD. Legal consistency. Check of better options should not be endless.

2.d Access to justice

NL: Flexible

2.e Extended producer responsibility

NL: We are critical given the experiences with EPR in the UWWTD. We agree with an assessment by the COM and would like to ask to also take the level playing field into account. We also suggest to let the impact assessment be reviewed or verified by an independent institution.



### 3. Substances

| | | | |
|---|---|---|---|
| 3.a | Synthetic substances (Repository) | **GWD, Annex II, part D** | **NL: Flexible** |
| 3.b | Deselection of substances | **EQSD, Annex I and II** | **NL: Flexible** |
| 3.c | Pharmaceuticals | **18, 18a-h, 21, 211c, 212a, 292a-b** | **NL: difficult to be flexible.** |
| 3.d | Pesticides | | |
| 3.e | Bisphenols | | |
| 3.f | PFAS | | |
| 3.g | Summary of the Total/ Sum compromise proposal | | |
| 3.h | Changes to Annex 1 of EQSD | | **NL: Hexachlorobenzene no support. Support for other changes.** |

3.a Synthetic substances (Repository)

NL: Flexible

3.b Deselection of substances

NL: NL is flexible on this. We would like to know if reports will made available on why the substances need to be reinserted in Part A of annex V.

3.c Pharmaceuticals

NL: We earlier also noted that the value of 2,5 µg/l for individual pharmaceutical active substances in groundwater is not scientifically substantiated and even not protective for some substances. We prefer the values that are endorsed by SCHEER. We suggest to delete QS for the individual active pharmaceutical substances and support the proposal to let the Commission assess the sum of pharmaceuticals for surface and groundwater for a future review supported by an appropriate monitoring method.

3.d Pesticides

NL: For the sum of pesticides we prefer the Council mandate, so remove from the list, because it is not in line with the risk-based methodology for deriving EQS for surface water and is inconsistent with EQS of individual pesticides. From the Steering Note it is not clear which substances will be included. We propose to make explicit which substances should be included by listing their names or entry numbers. It should be made clear if the sum includes biocides, non-authorised pesticides (e.g., pentachlorophenol) and pesticides that were also used as industrial chemicals (e.g. hexachlorobenzene).

Concerning the obligation for the COM to come with a list of non-relevant metabolites of pesticides within 6 months, the Netherlands is flexible.

It is noted that the categorization of priority substances according to column 3 of the EQS table is not consistent. Substances are indicated according to area of use (plant protection product, biocide), function (herbicide, insecticide) or chemical class/mode of action (pyrethroid pesticide,

neonicotinoid pesticide). For instance cybutryne is listed as 'biocide', but 'triazine pesticide' would be more informative, quinoxyfen is listed as 'plant protection product', without information that it is a fungicide.



3.e Bisphenols

NL: Flexible

3.f PFAS

NL: Flexible on monitoring PFAS total in groundwater en surface water using the guidance document adopted under the Drinking water directive.

3.g Summary of the Total/ Sum compromise proposal

NL: Overall, NL has difficulty with newly proposed "sum and total" standards. The scientific substantiation of the relationship with environmental effects is lacking. Furthermore, NL has a red line if total standards relate to an unlimited group of substances, because the one who can measure best is then disadvantaged.

3.h Changes to Annex 1 of EQSD

Hexachlorobenzene: MAC-EQSsw has been changed to 0,5 ug/L, instead of 0,05 ug/L in version of April 24. The reason for this change is not clear. Although the summary table in EQS-dossier suggests that MACs for fw and sw are both 0,5 ug/L, a MAC for sw is not derived in the main text and not mentioned in the SCHEER opinion. Unless sufficient marine species are available, which does not seem to be the case, the default additional assessment factor of 10 applies leading to MAC-EQSsw 0,05 ug/L. Note that for fw SCHEER advises to us the MAC of 0,6 ug/L based on total concentrations.

We can support the changes for Hexachlorobutadiene, Mercury and PFAS (addition of TFA with relative potency factor of 0,002.

## 4. Reporting Cluster

| | | | |
|---|---|---|---|
| 4.a | **IED and energy transition related reporting** | **179a, 253-254, 257-261, 321a** | **NL: Scrutiny reservation** |

NL: Scrutiny reservation.

**AUSTRIA**

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

**Austrian comments following the WPE meeting of the 2.6.2025 with reference to steering note WK 7085/2025 REV 1**

Austria thanks the Presidency for the discussion and the opportunity to provide written comments with reference to the topics clustered in the steering note.

## 1. Monitoring cluster

- Effect based monitoring: Austria supports the Council mandate and does not support a duplication of monitoring by obligating member states to apply different monitoring methods in parallel (chemical monitoring and EBM). With the environmental quality standards the directive defines the criteria for the chemical status. Implementation and assessment is up to member states and EBM might be additionally applied on a voluntary basis.

## 2. Horizontal issues

a) Definitions: Flexibility

b) Groundwater ecosystems: At time Austria does not support the inclusion of an ecological status for groundwater as neither an agreed method nor scientifically defined criteria for such a designation are available. The topic should be discussed in the CIS-WG Groundwater. This requirement is included in the revised recital 20 and Austria agrees to the proposed compromise text of recital 20. With reference to the Annexes Austria prefers the wording in the Council mandate and does not support the proposed changes.

Stricter standards for groundwater (factor 10) (red line): Austria does not support the EP requirement that the quality standards for groundwater should generally be a factor of 10 lower than the EQS for surface waters.

c) Non-deterioration clause and exemptions: Austria still questions the necessity and appropriateness of including a ruling of the CJEU in the definitions of the WFD. Flexibility with regard to the exemptions in Art. 4(7a) and Art. 4(7b).

d) Access to justice: Flexibility

e) Extended producer responsibility (red line): The introduction of an EPR system to finance water monitoring is not supported. Monitoring is established in MS and is continuously done. The introduction of an EPR system is very complex, cost intensive and associated to high administrative burden.

**3. Substance cluster**

a) Synthetic substances (Repository): Flexibility

b) Deselection of substances: Austria does not support the reinsertion of the deselected substances. Priority substances are substances presenting a risk to or via the aquatic environment and the risk is assessed by the environmental quality standard. As highlighted in the JRC report (https://circabc.europa.eu/ui/group/9ab5926d-bed4-4322-9aa7-9964bbe8312d/library/a953a59a-b899-4b8e-9815-0fee9006239f/details) none of the substances proposed to be removed from the list are presenting a significant risk at European level. Presence in water samples (mostly far below existing EQS values if found at all) or the listing in other regulations do not justify the inclusion of a substance in the list of priority substances.

c) Pharmaceuticals (red line): Austria does not support the inclusion of a quality standard or an environmental quality standard for the sum of pharmaceuticals. The individual active substances have different modes of action and very different toxicities. Austria further opines, that no references to future revisions should be included. If data becomes available to consider cumulative effects and the respective relative potencies of single compounds with reference to specific toxicological endpoints are known, these information can be documented and summarised in a substance dossier and subjected to further quality assessment, as it is done for other candidate substances.

d) Pesticides (red line): Austria does not support the inclusion of an environmental quality standard for the sum of pesticides. The individual active substances have different modes of action and very different toxicities. Austria further opines, that no references to future revisions should be included. If data becomes available to consider cumulative effects and the respective relative potencies of single compounds with reference to specific toxicological endpoints are known, these information can be documented and summarised in a substance dossier and subjected to further quality assessment, as it is done for other candidate substances.

List of non-relevant metabolites of pesticides in the GWD: Flexibility

e) PFAS (red line): Austria does not support the inclusion of a requirement to measure PFAS-total in ground and surface waters. The available analytical methods for determining total organic fluorine do not allow any linkage to toxicities of single compounds or the sum of fluorinated compounds. Monitoring of PFAS-total on the basis of total organic fluorine might be done by Member States on a voluntary basis.

Quality standard / environmental quality standard for PFAS-total (red line): Based on the SCHEER opinion from April 2025 (https://health.ec.europa.eu/publications/scheer-scientific-opinion-draft-environmental-quality-standards-pfas-total-under-water-framework_en) Austria does not support an environmental quality standard for PFAS total. SCHEER concluded that using total organic fluorine as a means for setting an EQS for "PFAS total" is incompatible with the legal definition of an EQS value and given the multitude of different PFASs with qualitatively and quantitively different (eco)toxicological profiles that can be expected to co-occur in a given surface water body, anchoring an EQS to total fluorine concentrations in a water body might either be excessively or insufficiently protective. SCHEER also concluded that more information is needed regarding both hazards and exposure.

TFA in Annex I to the GWD (red line): Austria does not support the inclusion of TFA in the Annex I of the GWD. No substance dossier is available nor has SCHEER been consulted on the suitability of the proposed quality standard. Also the impact of the inclusion of TFA with the proposed quality standards has not been assessed by the Commission. Furthermore EFSA is actually working on the revision of the toxicological reference values for TFA (expected for February 2026). The results of this revision should be considered and TFA should be included in the next review of Annex I of the GWD.

f) Bisphenols (red line): Austria does not support the inclusion of an environmental quality standard for the sum of bisphenols at the present time. Bisphenol-A will be added to the list of priority substances. Austria further opines, that no references to future revisions should be included. If data becomes available to consider cumulative effects and the respective relative potencies of single compounds with reference to specific toxicological endpoints are known, these information can be documented and summarised in a substance dossier and subjected to further quality assessment, as it is done for other candidate substances.

   Also the addition requiring Member States to monitor Bisphenol B, Bisphenol S or other Bisphenols is not supported by Austria. If monitoring data for assessing the relevance of these compounds is lacking, these compounds should be included in the selection process for the next watchlist.

g) Summary of the Total/ Sum compromise proposal: Austria does not support the re-establishment of an Annex III to the EQSD as a "holding place" for substances which should considered for inclusion in the next review. If data becomes available to consider cumulative effects and the respective relative potencies of single compounds with reference to specific toxicological endpoints are known, these information can be documented and summarised in a substance dossier and subjected to further quality assessment, as it is done for other candidate substances. An additional annex is not regarded necessary.

See also comments to points c, d, e and f.

**4. Reporting cluster**

a) IED and energy transition related reporting: Flexibility

# PORTUGAL



# REVISED PRESIDENCY STEERING NOTE

**AFTER THE WORKING PARTY ON THE ENVIRONMENT (WPE) – 2 June 2025 (pm)**

**PRIORITY SUBSTANCES IN WATER DIRECTIVE 2022/0344(COD)**

1. **Monitoring cluster:**

| **Effect based Monitoring** | **21, 305-307** |
|---|---|
| **Flexibility**.<br>PT supports Compromise proposal.<br>PT considers important that the Guideline will be produced by Commission should be prior discussed in the Chemical Working Group. | |

2. **Horizontal issues:**

| | |
|---|---|
| **Definitions** | **52, 57a, 59** |
| **Red line.**<br>PT partly supports Compromise proposal.<br>PT doesn´t agree the inclusion of sediments and biota matrix for Effect Based Trigger Values (EBTV). PT considers important prior to develop the knowledge concerning these issues in the Chemical Working Group. | |
| **GW ecosystems / ecological status of GW and Areas of special concern and high ecological values** | **67a-b, 149a, 154a-b, 176, 195b-g** |
| **Flexibility.**<br>PT supports Compromise proposal.<br>PT considers that, now, there aren't a scientific criteria to support the EP proposal concerning the establishment of *stricter standards should be a 10 multiplication*. | |
| **Non – deterioration clause & exemptions** | *57b*, 63a-d, 65c-e**, 67c-u** |
| **Red line.**<br>PT considers that these specific amendments to WFD require a joint and more comprehensive analysis of the entire Directive and should therefore only be integrated into an overall review of the WFD, including the possibility to extend the deadline of Article 4(4) after 2027. | |
| **Access to justice** | **106d – 106k** |
| **Flexibility.**<br>PT supports Compromise proposal. | |
| **Extended producer responsibility** | **195h–j, 195q, 329a-c, 329j** |
| **Flexibility.**<br>PT supports the inclusion of paragraph 7. | |

3. **Substances cluster:**

| | |
|---|---|
| **Synthetic substances (Repository)** | **GWD, Annex II, part D,** |

**Red line.** PT partly supports Compromise proposal.

PT supports the Council mandate regarding the inclusion of a TV for Individual pharmaceutical active substances in Annex II part D (table of Annex 7).

PT doesn´t agree with Primidone in Part B, point 2. PT considers that it should remain in Annex III or support its transition to Annex IV, Part D.

| | |
|---|---|
| **Deselection of substances** | **EQSD, Annex I and II** |

**Red line.** PT partly supports the Compromise proposal (Annex 8).

PT doesn't support an EQS for SUM of pesticides and biocides (Substance n.70), because the value is not supported by ecotoxicological risk assessment.

| | |
|---|---|
| **Pharmaceuticals** | **18, 18a-h, 21, 211c, 212a, 292a-b** |
| **Pesticides** | |
| **Bisphenols** | |
| **PFAS** | |

**Red line.**

PT doesn´t support partially the proposal, taking into account the following aspects:

1. **Groundwater (accordingly GWD Annex I, ANNEX 9):**

- Pharmaceuticals: PT supports the proposed QS for the individual substances Primidone, Carbamazepine and Sulfamethoxazole, as well as for the Sum of active pharmaceutical substances, but considers that no substance should be mentioned. The sum should include all individual substances quantified in the monitoring program, and not only the 8 substances mentioned in this document, since some of these substances (Primidone, Carbamazepine and Sulfamethoxazole) already have individual QS;
- Non-relevant metabolites of pesticides (nrMs); PT considers the QS proposed for individual and total are not protective for groundwater ecosystems nor for human health, taking into account the SHCEER position that proposed a lower QS;
- PFAS: PT doesn't support a separate QS for TFA. Is important to highlight that, as agreed in Council mandate, the PFAS should be in line only with DWD as well as the with EQSD (Sum of 4 PFAS).

2. **Surface water (ANNEX 9):**

- Pharmaceuticals: PT doesn´t agree with an EQS for SUM, because the value is not supported by ecotoxicological risk assessment;
- Pesticides: PT doesn´t agree with an EQS for SUM, because the value is not supported by ecotoxicological risk assessment;
- Bisphenols: PT doesn´t agree with an EQS for TOTAL/SUM, because the values are not supported by ecotoxicological risk assessment.

PT considers that the references of "next review" should only be mentioned in recitals and not in articles.

PT suggests that the Commission should prior develop the knowledge in GW and Chemicals WG regarding SUM/TOTAL for pharmaceuticals, pesticides, PFAS and Bisphenols, preparing these issues for the next reviews.

## 4. Reporting cluster:

| IED and energy transition related reporting | 179a, 253-254, 257-261, 321a |
|---|---|
| **Red line.**<br>PT doesn´t support this proposal.<br>It is important to mention that the diffuse emissions could become from several pressures (agriculture, air, …). Considering the agriculture sector, this new requirement of reporting must only be addressed to the Directive 2009/128/EC of 21 October 2009 (establishing a framework for Community action to achieve the sustainable use of pesticides). The report of emissions from diffuse sources should only be carried out in the respective Directives and not in RBMP.<br>PT considers that the report of emissions, point and diffuse, should only be done under the Industrial Emissions Portal (Regulation (EU) 2024/1244) of the European Parliament and of the Council.<br>This new requirement implies an additional effort and a high consumption of time, regarding all the report procedure under RBMP, so it will be almost impossible to conclude in due time. | |



## 1. Monitoring cluster:

For the **monitoring** cluster, one issue was discussed and prepared as a compromise proposal, namely the **Effect based monitoring**. The Presidency propose to make concession towards the Parliament in this regard and accept the mandatory EBM in order to allow the Commission to collect sufficient data, but at the same time to introduce several safeguards, including: guaranteeing necessary time for the preparations and the exclusion of data collected by this method during the 2 years period from the assessment of status at the end of the 6 years cycle during which this 2 years monitoring will take place. In addition the follow up clause was added. (See annex 1).

## 2. Horizontal issues:

a) A package on **definitions** is proposed (see annex 2).

b) **GW ecosystems** (ecological status of GW and Areas of special concern and high ecological values).

Presidency proposes a compromise based on the Council mandate, tasking the Commission to develop methodology to assess the presence of groundwater ecosystems, adding a precision that such ecosystems should be looked for in the areas where their presence can be expected. Once found, a stricter standards should be applied for their

protection. Presidency compromise text (see annex 3) **does not** include Parliament's request that the **stricter standards should be a multiplication by 10**. The Presidency would, however, appreciate to hear the Member States position on this particular issue as the guidance for further negotiations, as it is an important element for the Parliament.

**c) Non – deterioration clause & exemptions**

The compromise proposal is based on the Council mandate, however several additional safeguards have been added (see annex 4). The Presidency is still working on adding additional precisions to the text, at the request of the Parliament.

**d) Access to justice**

The Presidency suggests some flexibility towards the Parliament on the access to justice provision, as a part of the compromise package and depending on the outcome of negotiations on other elements in this package. The Presidency, however, maintains its position, that it is a horizontal issue and should be therefore maximally harmonised with existing law.
In the compromise proposal we suggest therefore, to base the provisions in this Directive on already adopted provisions included in the Urban water waste treatment Directive (see **updated version** in annex 5).

**e) Extended producer responsibility**

The Presidency suggests some flexibility towards the Parliament on the Extended producers responsibility and to include a part of the Parliament's amendment to the final compromise text, tasking the Commission to assess the feasibility of including the EPR mechanism to this Directive and to prepare a report on that issue (see annex 6).

**3. Substances cluster:**

**a) Synthetic substances (Repository)**

Several changes, including an addition of footnote, have been made to the annex II parts B & D of the Groundwater Directive (see annex 7). The content of the table is not a part of the pre-agreed text at the technical level and should be discussed separately.

**b) Deselection of substances** (please see annex 8)

After the exchange on technical level, it is proposed to keep as deselected substances nr 31 (Trichlorobenzene) but to reinsert:

- Atrazine (4) – **change to the steering note at the Commission's request**
- Benzene (5) – as it is a genotoxic carcinogen, still in widespread use.
- Cyclodiene pesticides (9A) – Covered by Stockholm Convention on POPs.
- DDT and para-para DDT (9b) - Covered by Stockholm Convention on POPs.

- 1,2 Dichloroethane (10) - as it is carcinogenic, there is no safe threshold, and substance is still in use. It is problematic for drinking water.
- Dichloromethane (11) - As it is carcinogenic and still in use, and still causing failures.
- Isoproturon (19) - Still causing several failures; need to be sure that downward trend occurs following EU non-renewal, in case of illegal use/emergency use.



**c) Pharmaceuticals**

Pharmaceutical substances for both surface- and ground waters are part of the compromise **proposal of total/sums**.

In **groundwater**, the cumulative risk from pharmaceuticals should be addressed by setting a quality standard **for the sum of a larger number of selected pharmaceuticals** identified during that watch-list monitoring. The sum shall apply to the sum of the following active substances: *carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone and iopamidol*. **The QS for sum of pharmaceuticals** is still to be discussed, but in the recent Commission's compromise proposal it is suggested to be **2,5,** as it is proposed by the Council for the **individual pharmaceutical active substances** in annex II part D.

In **surface water**, estrogenic pharmaceuticals should be addressed by effect-based monitoring. The Commission should also **consider setting standards for the sum(s) of selected pharmaceuticals, preferably based on mode of action, at the next review.** The compromise foresees therefore **a placeholder for this sum in Annex III** to the Directive 2008/105/EC that is to be re-established.

For the future review, the Commission shall also asses the **possibility to set a standard for the pharmaceutical total for the surface and ground water,** supported by an appropriate monitoring method.

**d) Pesticides**

Pesticides are part of the compromise **proposal of total/sums**.

To try address the cumulative risk in the **EQSD**, as the total pesticides attempts to do so in the GWD, an **EQS should be set for the sum of the pesticides** that are already included in the list of priority substances to be monitored in water, and that EQS should be taken into account when assessing chemical status. To take better account of mixture risk in the future, the Commission will consider setting standards for the sum(s) of a larger selection of selected pesticides than those currently included in Annex I, preferably based on mode of action, at the next review; for this reason **'sum(s) of selected pesticides by mode of action'** should be **added to Annex III** to Directive 2008/105/EC. For the next review, the Commission will also consider setting a total pesticides EQS in surface waters, supported by an appropriate monitoring method.

Another issue concerning the pesticides is the request for the Commission to establish **a list of non-relevant metabolites of pesticides** for the Groundwater Directive. The

Presidency asks Member states to show some flexibility regarding this issue in terms of deadline put on the Commission in the Council mandate, as the deadline of 6 months has been considered as non-feasible given the need to take into account also the coherence with pesticides and drinking water legislation.

**e) PFAS**

PFAS are part of the compromise **proposal of total/sums**.

**A subset of specific PFAS should be added** to the list of groundwater pollutants and to the list of priority substances in surface waters. Member States are **encouraged to monitor PFAS Total in groundwater and surface water** using the guidance adopted under the DWD (2020/2184). The Commission shall consider establishing quality standards for **PFAS Total in surface waters and groundwater at the next review** and aim to **complement the guidance on monitoring PFAS Total in drinking water** to make it applicable to monitoring PFAS Total in GW and SW.

**f) Bisphenols**

Bisphenols are part of the compromise **proposal of total/sums**.

Bisphenol-A should be added to the list of substances in Annex I to Directive 2008/105/EC and designated as a priority hazardous substance. The Commission should review the listing of bisphenols in general at the next review, **and consider to establish an EQS for 'Bisphenols Total' or at least for the 'Sum of Bisphenols',** including at least Bisphenol-B and Bisphenol-S. **The 'Sum of Bisphenols' should be therefore listed in Annex III** to Directive 2008/105/EC. Furthermore, Member States should give particular consideration whether **to identify and monitor at least Bisphenol B and Bisphenol S as river basin specific pollutants**, where potentially relevant, and to report the data in line with Article 8(4) of Directive 2000/60/EC to ensure that the risk from the sum of those bisphenols and Bisphenol A can be properly assessed at the next review. During the next review, the Commission should also consider listing Bisphenols in GWD, including as a sum and/or total. For both ground and surface waters, it should be supported by an appropriate monitoring method.

**g) Summary of the Total/ Sum compromise proposal:**

The main element of the proposed compromise is the **re-establishment of Annex III to the EQSD** as a "holding place" for substances which should be considered for inclusion in the priority substances list at the next review. Annex to the EQSD would include:

- **'sum of bisphenols'**,
- **'sum(s) of selected pesticides by mode of action',**
- **'sum(s) of selected pharmaceuticals by mode of action'**.

Other elements of the compromise, as described above in points 3 c-f, consist of including sums (pharmaceuticals for GW), pesticides for SW and PFAS for both GW and SW **already during the current revision.**

There is also an encouragement for MS to use PFAS total methodology following the guidance published for the Drinking Water Directive and to consider monitoring Bisphenol B and S as River Basin Specific Pollutants.

The compromise consist as well of strong encouragement for the Commission to consider **adding "total" standards** for PFAS, Bisphenols, pesticides and pharmaceuticals, as well as the sum of Bisphenols for GW **during the next review**, supported by appropriate monitoring methods.

For the total/sum compromise proposal, please refer **to annex 9.**

h) **Several changes have been proposed to the annex I of EQSD, Including:**

- division of SW/FW for biota**,**
- footnote 33,
- AA- EQS / MAC - EQS

**(**Please see annex 8)

5. **Reporting cluster:**

A compromise proposal on inventories has been proposed. It is in large part based on the Council mandate. Please see **annex 10**.

## ANNEX 1 (Effect based monitoring)

| row | COM | EP | Council | Compromise proposal |
|---|---|---|---|---|
| Recital 11 | | | | |
| 21 | (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. | (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 2008/105/EC. That comparison ~~*will be used to assess*~~***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 | (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 **are encouraged to** ~~should~~ apply such methods **on a voluntary basis** 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 **and could also replace substance-by-substance monitoring. The concept of effect based trigger values should be defined**~~. The definition of EQS~~ in Directive 2000/60/EC **and the** | ***The conventional chemical analytical methods used for monitoring substances under this Directive cannot, in general, determine cumulative (or mixture) risk***. 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. ***The Commission should publish a report on*** ~~T~~that comparison and an analysis of ~~will be used to assess~~ whether effect-based monitoring methods ***deliver data robust and accurate enough to allow them to*** ~~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 |

| | | | | |
|---|---|---|---|---|
| | | 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. | **definition of good chemical status** 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. | those listed in Annex I to Directive 2008/105/EC, ***and could also replace substance-by-substance monitoring at many locations. The concept of effect based trigger values should be defined***~~.. The definition of EQS~~ in Directive 2000/60/EC ***and the definition of good chemical status*** 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. |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3) | | | | |
| 305 | 3. Member States shall, from … [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive], for a period of two years, monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods. They shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones 7-Beta estradiol (E2), Estrone (E1) and Alpha-Ethinyl estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical | 3. Member States shall, from … [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive], for a period of two years, monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods. They shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones 7-Beta estradiol (E2), Estrone (E1) and Alpha-Ethinyl estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical | 3. Member States **may, , from** ~~shall, from … [OP please insert the date =~~ the first day of the month following 18 months after the ~~date of entry into force of this Directive]~~ **publication of the technical guidelines referred to in paragraph 4** , for a period of two years, monitor the presence of estrogenic substances– in water bodies, using effect-based monitoring methods. **Where Member States decide to do so,** they shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones ~~7~~**17**-Beta estradiol (E2), Estrone (E1) and **17-a lpha-** | Member States shall, over a period of two years from 1 January 2030, ~~and~~ providing that ~~the~~ ***~~publication of~~ the technical guidelines referred to in paragraph 4 have been published at least 18 months before this date,*** monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods as explained in the guidelines. The sampling and analysis need not commence at the start of that two-year period, but<br><br>shall be conducted at least four times during each year. Member States shall conduct the monitoring at ~~locations a~~ |

| | | | | |
|---|---|---|---|---|
| | methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive. Member States may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. | methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive. Member States may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. | **ethinyl** ~~Alpha-Ethinyl~~ estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive~~. Member States may use the network of monitoring~~ **and select a number of** sites ~~identified for the surveillance monitoring of~~ **in** representative surface water bodies in ~~accordance with point 1.3.1 of Annex V to Directive 2000/60/EC.~~ **order to obtain comparative results at a range of concentrations.** | ***selection of the sites*** where the three estrogenic hormones ***1***7-~~*Bb*~~eta estradiol (E2), Estrone (E1) and ***17-A****a*lpha-~~E~~ethinyl-estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that ***Directive in order to obtain comparative results at range of concentrations, and report the data together and in line with Article 8(4) of Directive 2000/60/EC.-The number of sites shall be no less than that specified in paragraph 3 of Article 8b of this Directive for monitoring substances on the watch list.*** ~~Member States, may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. Where possible,~~ Member States may start the monitoring ~~period~~ before the indicated date as long as the technical guidelines have been published. |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3a) | | | | |
| 305 a | | | **4. The Commission shall by [OP please insert the date = the first day of the month following 12 months after the date of entry into force of this Directive] adopt technical guidelines regarding methods for chemical analysis of the** | ***4. The Commission shall by [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive] publish technical guidelines for the*** |

| | | | | |
|---|---|---|---|---|
| | | | **estrogenic substances and regarding effect-based monitoring methods, interpretation and assessment of the results and trigger values as defined in Article 2 (35b) of Directive 2000/60/EC.";** | ***monitoring of estrogenic substances using effect-based monitoring methods.*** |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3b), first and second subparagraphs | | | | |
| 305 b | | ***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.*** | | ***The Commission shall, within 18 months of the data being reported by the Member States, publish a report comparing the results from the conventional analytical and the effect-based methods and analyse the possibility of using effect-based monitoring methods in conjunction with an effect-based trigger value for estrogens as defined in Article 2(35b) of Directive 2000/60/EC for screening purposes to support the assessment of chemical status .***<br>***However, Member States ~~S~~ shall not use the effect-based results from the two-year comparative monitoring period referred to in paragraph 3 for the purpose of classifying the chemical status of the monitored water bodies, as described in point 1.4.3 of Annex V to Directive 2000/60/EC, at the end of that period.*** |

| | | | | |
|---|---|---|---|---|
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3b), third subparagraph | | | | |
| 305 c | | ***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.*** , | , | ***Taking into account the analysis in the report referred to in the first subparagraph, the Commission shall consider setting a trigger value for estrogens for screening purposes and for the assessment of chemical status. Once effect-based methods are ready to use also for other substances, the Commission shall consider requiring Member States to use them, if necessary at least initially in parallel with conventional analytical methods, and consider setting corresponding trigger values.*** |
| Article 3, first paragraph, point (6), amending provision, sixth paragraph | | | | |
| 306 | * Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE), OJ L 108, 25.4.2007, p. 1). | *deleted* | *deleted* | |
| *Article 3, first paragraph, point (6), amending provision, seventh paragraph* | | | | |
| *307* | ** Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information, OJ L 172, 26.6.2019, p. 56).; , | *deleted* | *deleted* | |

**ANNEX 2 (Definitions)**

**Description of the compromise**: accept the suggestion from Council to add a definition for Effect Based Trigger Values; which then triggers the need to change the definition of good chemical status accordingly

- Revert back to existing definition of EQS in Art 2(35) WFD (slightly reformulated language but content is the same).
- Add the new definition for Effect based Trigger Values proposed by Council;
- Change definition of good chemical status accordingly, i.e. referring to both EQS and EBTV, but the latter only where '**available**', i.e. where verifiable on the basis of a scientifically validated effect-based monitoring method;
- Small change to EC proposal in Art 2(24) to take out the reference to Art 8(2), point (c ) (this was an error); and replace it with Art 8d(1), which refers to MS setting and implementing EQS for all RBSPs of concern in their country
- Take out the reference proposed by Council to Art 16(4a) of WFD: irrespective of the final decision on keeping Art 16 or not, it seems more appropriate in any case to refer to Art 8d(1) EQSD which relates to MS setting and implementing EQS for their RBSPs;

TEXT PROPOSAL

Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the **following: the** environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* ~~and~~**,** the environmental quality standards for river basin specific pollutants set and applied in accordance with Article ~~8(2), point (c), and~~ **16 (4a) of this Directive or** ~~or~~ Article 8d~~(1)~~**aand nd 8d(2)**~~of that~~ **of** Directive **2008/105/EC, and** ~~**if available, standardised**~~ **effect-based trigger values, where available.**

Art 2 (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.

Art 2 (35b) 'Effect-based trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically **validated** effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur.

| EC proposal | EP | Council | Comments - Compromise |
|---|---|---|---|
| Art 2 (24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* and the environmental quality standards for river basin specific pollutants set in accordance with Article 8(2), point (c), and Article 8d(1) of that Directive. | unchanged | Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the **following: t**he environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* ~~and~~**,** the environmental quality standards for river basin specific pollutants set in accordance with Article ~~8(2), point (c), and~~ **16 (4a) of this Directive or** Article 8d(1) of ~~that~~ Directive **2008/105/EC, and if available, standardised effect based trigger values**. **';** | *Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the* ***following: the*** *environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council** ~~and~~*, the environmental quality standards for river basin specific pollutants set and applied in accordance with Article ~~8(2), point (c), and~~ ~~16 (4a)~~ of ~~this Directive or~~ ~~or~~ Article 8d(1)~~and~~ ~~nd 8d(2~~ of ~~that~~ ***of*** *Directive* ***2008/105/EC, and if*** ~~available, standardised~~ ***effect-based trigger values, where available.';*** |
| Art 2 (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.'; | Art 2(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.' | *deleted* | *Art 2 (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.* |
| | | Art 2 (35b)'Effect-based Trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically **validated** effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur. | *Art 2 (35b)'Effect-based Trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically* ***validated*** *effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur.* |

**ANNEX 3 (Ground water ecosystems – Presidency compromise proposal):**

| | ORG Directive text | EP Proposal | Council proposal | COMPROMISE PROPOSAL |
|---|---|---|---|---|
| Recital | (20)<br>Research should be conducted in order to provide better criteria for ensuring groundwater ecosystem quality and protection. Where necessary, the findings obtained should be taken into account when implementing or revising this Directive. Such research, as well as dissemination of knowledge, experience and research findings, needs to be encouraged and funded. | | (new 8c)<br>**Pharmaceutical active substances are of great concern for ecosystems. Groundwater quality standards for pharmaceuticals should therefore be aligned, for the substances most frequently encountered in groundwater bodies, with the values adopted or proposed as environmental quality standards to be achieved in surface waters. This should ensure the protection of associated aquatic ecosystems and dependent terrestrial ecosystems. Stricter standards are needed to protect sensitive groundwater ecosystems. Member States should work with the Commission under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying such ecosystems. As soon as a reliable method is available, Member States should, where relevant, apply that method.**<br>**If a Member State identifies the presence of such** | **(20 - redrafted)**<br>**There is a need to gather more knowledge about the presence, importance and sensitivity of groundwater ecosystems in order to properly protect them.**<br>**Additional scientific research should therefore be encouraged, funded and conducted, and the findings should be disseminated, and, where necessary, taken into account, along with existing knowledge, when implementing or revising this Directive.**<br><br>**The Commission should work with Member States under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying groundwater ecosystems.**<br><br>**As soon as a reliable methodology is available, Member States should, where relevant, apply that methodology, and set stricter standards where necessary to** |

| | | | | |
|---|---|---|---|---|
| | | | **ecosystems, it should set stricter quality standards or threshold values accordingly, unless the standard has been set to protect human health and is already sufficiently strict to protect the sensitive ecosystems.** | **protect those ecosystems** |
| Annex I point 3 | Where, for a given body of groundwater, it is considered that the groundwater quality standards could result in 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 diminution of the ecological or chemical quality of such bodies, or in any significant damage to terrestrial ecosystems which depend directly on the body of groundwater, more stringent threshold values will be established in accordance with Article 3 and Annex II to this Directive. Programmes and measures required in relation to such a threshold value will also apply to activities falling within the scope of Directive 91/676/EEC. | 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 | *No changes* | Where, for a given body of groundwater, it is considered that the groundwater quality standards could result in 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 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.** Provided that a **reliable methodology is available to assess the presence of groundwater ecosystems, more stringent quality standards shall also be established for groundwater bodies where such ecosystems are present, unless the standards have been** |

| | | | | |
|---|---|---|---|---|
| | | scope of Directive 91/676/EEC. | | **set to protect human health and are already sufficiently strict to protect those ecosystems.** |
| Footnote Annex I | COM COMPROMISE PROPOSAL<br><br>When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and set, if such ecosystems are present, a 10-times stricter threshold value for this substance in order to preserve these ecosystems, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for an intermediate or even stricter value." | | Council mandate<br><br>**When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and set, if necessary following a risk assessment, a stricter threshold value for this product in line with article 3 (1b) - in order to preserve these ecosystems**. | When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in ~~their~~ groundwater bodies **whose characteristics could support their existence and set, if such ecosystems are present, and** in line with Article 3 (1)(b) ~~**if necessary following a risk assessment, a 10-times**~~ **stricter threshold value for this substance** ~~**in order to**~~ **that is adequate** to protect those ecosystems~~,~~ ~~unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for an intermediate or even stricter value~~. |
| Footnote annex II (part D) | COM COMPROMISE PROPOSAL<br><br>Wherever an individual pharmaceutical active substance poses a risk to one or more groundwater bodies in a Member State, that Member State shall apply this threshold value unless a stricter standard or threshold value applies at Union | | Council mandate<br><br>**Member States shall apply this threshold value unless a stricter standard or threshold value has been specifically set for the substance concerned at Union or national level. When a reliable** | Member States shall apply this threshold value unless a ~~stricter~~ standard or threshold value has been specifically set for the substance concerned at Union or national level for either |

| | | | | |
|---|---|---|---|---|
| | or Member State level, for either surface or groundwater. When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and, if such ecosystems are present, set a threshold value of 0.25 µg/l or a value 10 times stricter than the corresponding surface or groundwater standard or threshold value, where applicable, in order to preserve these ecosystems, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for a different value, | | **methodology is available, Member States shall assess, the presence of groundwater ecosystems in their groundwater bodies and set, if necessary following a risk assessment, a stricter threshold value for this product in line with article 3 (1b) - in order to preserve these ecosystems.** | surface or groundwater.<br><br>When a reliable methodology is available, **Member States shall assess the presence of groundwater ecosystems in ~~their~~ groundwater bodies whose characteristics could support their existence and set, if such ecosystems are present,** and in line with Article 3 (1)(b), ~~if necessary following a risk assessment,~~ **a stricter** ~~threshold value of 0.25 µg/l or a value 10 times stricter than the corresponding surface or groundwater standard or~~ **threshold value,** ~~where applicable, in order~~ if **necessary to protect those ecosystems**~~, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for a different value~~. |

## ANNEX 4 (Non-deterioration)

**Preambule 14 d is amended as follows (highlighted in blue proposed changes to the Council mandate)**

(14d) The judgements of the Court of Justice of the European Union, combined with additions to the lists of substances as well as stricter standards for existing pollutants, have highlighted the difficulty for Member States of complying with the non-deterioration objective of Directive 2000/60/EC, may hamper the implementation of certain activities and entail a considerable administrative burden for Member States. This is especially the case if short-term effects of activities occur or if pollutants are relocated within or between waterbodies without however causing an overall increase in pollution. As a result of the relocation, the pollution in the source-water body might be reduced and the pollution in the receiving water body might increase whilst the overall pollution mass balance is null. When relocating groundwater or sediment containing ubiquitous PTB substances, other substances present are also relocated. It is therefore not possible to focus solely on uPBT substances. As far as possible, remediation measures should be taken to mitigate the adverse effects. Activities such as discharge of PFAS contaminated drainage water from construction works or the displacement of dredged sediments for flood safety or navigation should be allowed, provided the necessary and proportionate safeguards are in place and their compliance can be verified so as to avoid a lowering of the level of ambition of the Directive 2000/60/EC. Activities like dumping of contaminants into the water body, including sewage sludge, should not be allowed**.**

**Preambule 28a is amended as follows:**

**(28a) Member States experts should be involved in the regular cooperation facilitated by the Common Implementation Strategy for Directive 2000/60/EC and in particular in the working groups established under it, and thus closely involved especially in the revision of the watch lists, the updates of the lists of pollutants, ~~and~~ the establishment of the reporting formats and the exchange on good practices on the application of exemptions.**

**Article 4.7.a is amended as follows (highlighted in blue proposed changes to the Council mandate):**

**"7a.** Member States will not be in breach of this Directive if any negative short-term impacts on ~~one or more quality elements~~ the chemical status of a water body or water bodies caused by a new project or a modification to an existing project in that or those water bodies is no longer detectable after one year, ~~or maximum three years for the biological quality elements~~, beyond initiation of the execution of the project,

and all the following conditions are met:

a) the negative impacts are not the result of direct discharges, emissions or losses of a pollutant;

b) there are no ~~significantly~~ better environmental options for reasons of technical feasibility or disproportionate cost;

c) all practicable ~~measures~~ steps are taken to mitigate the negative impacts on the status of the water body or water bodies;

d) the potential impacts are assessed ex ante, on the basis of scientific evidence and ~~on this basis~~ it is concluded that there will be no negative impact for the concerned

water body beyond one year~~, or beyond maximum three years for the biological quality elements;~~

e) ex post verification is carried out;

f) a summary of the main activities carried out in line with the provisions of this paragraph and the measures taken to mitigate negative impacts is included in the river basin management plans required under Article 13 of this Directive.

**Article 4.7.b is amended as follows (highlighted in blue proposed changes to the Council mandate):**

"7b. Member States will not be in breach of this Directive when deterioration occurs in the status of a surface water body as a result of relocating water or sediment by human activity within or between surface water bodies, or from a groundwater body to a surface water body, without causing a net increase in pollution, and all the following conditions are met:

a) all ~~practicable measures~~ steps~~, including~~ in particular the treatment of the water or sediment if ~~relevant and~~ feasible~~,~~ are taken to mitigate adverse impacts on the status of the water body or water bodies;

b) the composition of the relocated water or sediments is established, and the relocation does not ~~significantly~~ increase the overall risk to human health and the environment compared to the existing risk prior to the relocation;

*c)* the receiving water body is confirmed as already not being in a good ecological status or potential, neither in good chemical status ~~[~~with respect to a large proportion of the pollutants relocated~~]~~ and the ecological status or potential of the reciving water body ~~cannot be classified~~ is not expected to fall into a lower class as a result of the relocation of those pollutants;

d) bodies of water identified for the abstraction of water intended for human consumption, as well as those bodies of water intended for such future use, as referred to in Article 7(1), are excluded from this exemption;

e) the details, including the reasons, for the relocation are set out and explained in the river basin management plan required under Article 13;

f) there are no ~~significantly~~ better environmental options for reasons of technical feasibility or disproportionate cost;

g) the relocation is subject to prior regulation or authorisation.";

**ANNEX 5 (Access to justice): [updated]**

| | ***EP amendment*** | Compromise proposal |
|---|---|---|
| 41c | ***(31c) As confirmed by the case law of the CJEU[1], 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.*** | **(31 c)** Directive 2003/4/EC of the European Parliament and of the Council is aimed at guaranteeing the right of access to environmental information in the Member States in line with the 1998 Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters ('Aarhus Convention'). The Aarhus Convention encompasses broad obligations related both to making environmental information available upon request and actively disseminating such information. Directive 2007/2/EC of the European Parliament and of the Council is also of broad scope, covering the sharing of spatial information, including data sets on different environmental topics. It is important that provisions of this Directive related to access to information and data-sharing arrangements complement those Directives and do not create a separate legal regime. Therefore, the provisions of this Directive regarding information to the public and information on monitoring of implementation should be without prejudice to Directives 2003/4/EC and 2007/2/EC.<br><br>(31d) According to settled case law of the Court of Justice, it is for the courts of the Member States to ensure judicial protection of a person's rights under Union law. Furthermore, Article 19(1) TEU requires Member States to provide remedies sufficient to ensure effective judicial protection in the fields covered by Union law. In this respect, Member States should ensure that the public, including natural or legal persons submitting substantiated concerns in accordance with Article 29, is ensured access to justice in line with the obligations Member States have undertaken as parties to the Aarhus Convention.<br><br>This should be done in accordance with national rules, without depriving the provision on compensation of its effectiveness. In addition, in accordance with the Aarhus Convention, members of the public concerned are to have access to justice in order to contribute to the protection of the right to live in an environment which is adequate for personal health and well-being. |

***1. 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.***

| | | |
|---|---|---|
| 106d | *(9b) The following Article is inserted :* | *(9b) The following Article is inserted :* |
| 106e | *Article 14a*<br>‘<br>*Access to justice* | *Article 14a*<br>‘<br>*Access to justice* |
| 106f - k | *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:*<br><br>*(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;*<br><br>*(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).*<br><br>*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.*<br><br>*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.* | 1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned 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 decisions, acts or omissions subject to Article 4, 11 and Article 13(1) of this Directive, where at least one of the following conditions is met:<br>(a) they have a sufficient interest;<br>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.<br>2. Member States shall determine what constitutes a sufficient interest and impairment of a right, consistently with the objective of giving the public concerned wide access to justice. To this end, the interest of any non-governmental organisation promoting environmental protection and meeting any requirements under national law shall be deemed sufficient for the purpose of paragraph 1(a). Such organisations shall also be deemed to have rights capable of being impaired for the purpose of paragraph 1(b).<br>3. Standing in the review procedure shall not be conditional on the role that the member of the public concerned played during a participatory phase of the decision-making procedures under this Directive.<br>4. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.<br>5. The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief where appropriate.<br>6. Member States shall ensure that practical information is made available to the public on access to administrative and judicial review procedures referred to in this Article. |

| | | |
|---|---|---|
| | ***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."*** | |

**ANNEX 6 (Extended Producer's Responsibility):**

**Article 8 is amended as follows:**

the following paragraphs 4,5, 6 and **7** are added:

7**. The Commission shall by [36 months after the date of entry into force of this Directive], publish a report on possibility to include in this Directive an extended producer responsibility mechanism. The report shall evaluate in particular the feasibility of requiring producers that place on the EU market products containing any of the substances listed in Annexes I to Directives 2006/118/EC and 2008/105/EC to contribute to the costs of monitoring programmes designed under Article 8 of Directive 2000/60/EC.**

## ANNEX 7 (Synthetic substances):

**TEXT PROPOSALS** [yellow text proposed by the Commission; in blue text from the Council]

- Article 3 is amended as follows:
- (a) in paragraph 1, first subparagraph, the following point (c) is added:

  '(c ) threshold values established at Union level ~~in accordance with Article 8(3)~~ and listed in Part D of annex II to this Directive'

  (b) paragraph 2 is replaced by the following:

  2. Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.

  **Threshold values referred to in paragraph 1, points (b) and (c), shall be applied at the level relevant to the occurrence of the pollutant.**

- Part B, point 2
  'Man-made synthetic substances
  [ Primidone ]
  Trichloroethylene
  Tetrachloroethylene'

- Part D - Repository of harmonised threshold values for **man-made synthetic substances** (*)of national, regional or local concern in groundwater

**(*) including synthetic substances with identical natural counterparts which may occur in groundwater, but where any natural background level is at most low.**

| Commission proposal | EP | Council | Compromise |
|---|---|---|---|
| Line 152 to 154<br>Article 3 is amended as follows:<br>in paragraph 1, first subparagraph, the following point (c) is added:<br>(c) threshold values established at Union level in accordance with Article 8(3) and listed in Part D of Annex II to this Directive.; | No changes proposed by EP | Article 3 is amended as follows:<br><br>in paragraph 1, first subparagraph, the following point (c) is added<br>(c) threshold values **for synthetic substances** established at Union level ~~in accordance with Article 8(3) and~~ listed in Part D of Annex II to this Directive~~.~~**'**; | Article 3 is amended as follows:<br><br>in paragraph 1, first subparagraph, the following point (c) is added<br><br>'(c ) threshold values ~~for synthetic substances~~ established at Union level ~~in accordance with Article 8(3)~~ and listed in Part D of Annex II to this Directive.' |

| | | | |
|---|---|---|---|
| Line 156<br><br>2. Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.; | No changes proposed | 2. Threshold values referred to in paragraph 1, ~~point (b)~~ **points (b) and (c)**, may be established **or applied, respectively,** at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.**'**; | Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.<br><br>**Threshold values referred to in paragraph 1, points (b) and (c), shall be applied at the level relevant to the occurrence of the pollutant** |
| Part B point 2 | No changes proposed | No changes proposed | 'Man-made synthetic substances<br>Primidone<br>Trichloroethylene<br>Tetrachloroethylene' |
| Part D<br>Repository of harmonised threshold values for groundwater pollutants of national, regional or local concern | | the following Part D is added:<br><br>'Part D<br><br>**Repository of harmonised threshold values for synthetic substances in groundwater ~~pollutants~~ of national, regional or local concern** | Compromise proposal:<br><br>Part D<br><br>Repository of harmonised threshold values for man-made **synthetic substances (*)**of national, regional or local concern in groundwater<br><br>**(*)** (*) including synthetic substances with identical natural counterparts which may occur in groundwater, but where any natural background level is at most low. |

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| [Entry] Nº | Name of substance | Category of substances | CAS number(1) | EU number(2) | Threshold value [µg/l unless otherwise indicated] |
| ~~1~~ | ~~Trichloroethylene and Tetrachloroethylene (sum of two)~~ | ~~Industrial substances~~ | ~~79-01-6 and 127-18-4~~ | ~~201-167-4 and 204-825-9~~ | ~~10 (total)(3)~~ |
| | **Individual pharmaceutical active substances** (4) | **Pharmaceuticals** | | | 2,5 (5) |

**ANNEX 8 (Deselection) (NEW):**

EQSD - Annex I

Footnote 31 is proposed to be deleted

Footnote 33 is proposed to be reformulated

Substances: 3,4, 9a,9b, 10, 11, 19 **to be reinserted**

Sum of pesticided – added as part of the sum/ totals compromise proposal



| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| [Entry] N° | Name of substance | Category of substances | CAS number (1) | EU number (2) | AA-EQS (3) Inland surface waters (4) [µg/l] | AA-EQS (3) Other surface waters [µg/l] | MAC-EQS (5) Inland surface waters (4) [µg/l] | MAC-EQS (5) Other surface waters [µg/l] | EQS Biota (6) [µg/kg wet weight] or EQS Sediment [µg /kg dry weight] where so indicated | Identified as a priority hazardous substance | Identified as an Ubiquitous Persistent, Bioaccumulative and Toxic (uPBT) substance | Identified as a substance that tends to accumulate in sediment and/or biota |
| (1) | The substance Alachlor has been moved to Part C of Annex II | | | | | | | | | | | |
| (2) | Anthracene | Industrial substances | 120-12-7 | 204-371-1 | ~~0,1~~0,1 | ~~0,1~~0,1 | 0,1 | 0,1 | | X | | X |
| **(3)** | **The substance Atrazine has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(4)** | **The substance Benzene has been moved to Part C of Annex II** | | | | | | | | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (5) | Brominated diphenylethers ~~(33)~~ | Industrial substances | not applicable | not applicable | | | 0,14 (7) | 0,014 (7) | 0,00028 (7) | X (8) | X | X |
| (6) | Cadmium and its compounds<br>(depending on water hardness classes) (9) | Metals | 7440-43-9 | 231-152-8 | < 0,08 (Class 1)<br>0,08 (Class 2)<br>0,09 (Class 3)<br>0,15 (Class 4)<br>0,25 (Class 5) | 0,2 | < 0,45 (Class 1)<br>0,45 (Class 2)<br>0,6 (Class 3)<br>0,9 (Class 4)<br>1,5 (Class 5) | < 0,45 (Class 1)<br>0,45 (Class 2)<br>0,6 (Class 3)<br>0,9 (Class 4)<br>1,5 (Class 5) | | X | | X |
| (6a) | The substance Carbon tetrachloride has been moved to Part C of Annex II | | | | | | | | | | | |
| (7) | $C_{10-13}$ Chloroalkanes (10) | Industrial substances | 85535-84-8 | 287-476-5 | 0,4 | 0,4 | 1,4 | 1,4 | | X | | X |
| (8) | The substance Chlorfenvinphos has been moved to Part C of Annex II | | | | | | | | | | | |
| (9) | Chlorpyrifos (Chlorpyrifos-ethyl) | Organophosphate pesticides | 2921-88-2 | 220-864-4 | $4,6 \times 10^{-4}$ | $4,6 \times 10^{-5}$ | 0,0026 | $5,2 \times 10^{-4}$ | | X | ~~X~~ | X |
| **(9a)** | **The substance Cyclodiene pesticides has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(9b)** | **The substances DDT and para-para-DDT have been moved to Part C of Annex II** | | | | | | | | | | | |
| **(10)** | **The substance 1,2-Dichloroethane has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(11)** | **The substance Dichloromethane has been moved to Part C of Annex II** | | | | | | | | | | | |
| (12) | Di(2-ethylhexyl)-phthalate (DEHP) | Industrial substances | 117-81-7 | 204-211-0 | 1,3 | 1,3 | not applicable | not applicable | | X | | X |
| (13) | Diuron | Pesticides – herbicides | 330-54-1 | 206-354-4 | 0,049 | 0,0049 | 0,27 | 0,054 | | | | |
| (14) | Endosulfan | Organochlorine pesticides | 115-29-7 | 204-079-4 | 0,005 | 0,0005 | 0,01 | 0,004 | | X | | |
| (15) | Fluoranthene | Industrial substances | 206-44-0 | 205-912-4 | $7,62 \times 10^{-4}$ | $7,62 \times 10^{-4}$ | 0,12 | 0,012 | 6,1 | X | X | X |
| (16) | Hexachlorobenzene | Organochlorine pesticides | 118-74-1 | 204-273-9 | | | 0,5 | 0,5 | ~~20~~ ~~1~~ **8** $_{fw\ fish}$ (32) **1** $_{sw\ fish}$ (32) | X | | X |
| (17) | Hexachlorobutadiene | Industrial substances | 87-68-3 | 201-765-5 | ~~$9 \times 10^{-4}$~~ $9.5 \times 10^{-4}$ (43) | $9.5 \times 10^{-4}$ | 0,6 | ~~0,6~~ **0,06** | 21 | X | | X |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (18) | Hexachlorocyclohexane | Pesticides - Insecticides | 608-73-1 | 210-168-9 | 0,02 | 0,002 | 0,04 | 0,02 | | X | | X |
| **(19)** | **The substance Isoproturon has been moved to Part C of Annex II** | | | | | | | | | | | |
| (20) | Lead and its compounds | Metals | 7439-92-1 | 231-100-4 | ***1,2*** *(12)* | 1,3 | 14 | 14 | | X | | X |
| (21) | Mercury and its compounds | Metals | 7439-97-6 | 231-106-7 | | | 0,07 | 0,07 | ~~[10]~~ **11** ~~(13)~~ fw fish (32) 0,36 sw fish (32) | X | X | X |
| (22) | Naphthalene | Industrial substances | 91-20-3 | 202-049-5 | 2 | 2 | 130 | 130 | | | | |
| (23) | Nickel and its compounds | Metals | 7440-02-0 | 231-111-4 | 2 (12) | 3,1 | 8,2 | 8,2 | | | | |
| (24) | Nonylphenols (14) (4-Nonylphenol) | Industrial substances | 84852-15-3 | 284-325-5 | 0,037 | 0,0018 | 2,1 | 0,17 | | X | | |
| (25) | Octylphenols (15) ((4-(1,1',3,3'-tetramethylbutyl)-phenol)) | Industrial substances | 140-66-9 | 205-426-2 | 0,1 | 0,01 | not applicable | not applicable | | X | | |
| (26) | Pentachlorobenzene | Industrial substances | 608-93-5 | 210-172-0 | 0,007 | 0,0007 | not applicable | not applicable | | X | | X |
| (27) | Pentachlorophenol | Organochlorine pesticides | 87-86-5 | 201-778-6 | 0,4 | 0,4 | 1 | 1 | | X | | |
| (28) | Polyaromatic hydrocarbons (PAHs) (16) ~~(33)~~ | Combustion products | not applicable | not applicable | not applicable | not applicable | not applicable | not applicable | Sum of Benzo(a)pyrene equivalents ~~[0.,6]~~ (17) | X | X | X |
| | Benzo(a)pyrene | | 50-32-8 | 200-028-5 | | | ~~0,27~~ **0,5** | ~~0,027~~ **0,05** | ~~[~~0,6~~]~~ | | | |
| | Benzo(b)fluoranthene | | 205-99-2 | ***205-911-9*** | | | 0,017 | 0,017 | ***see footnote 17*** | | | |
| | Benzo(k)fluoranthene | | 207-08-9 | ***205-916-6*** | | | 0,017 | 0,017 | ***see footnote 17*** | | | |
| | Benzo(g,h,i)perylene | | 191-24-2 | ***205-883-8*** | | | $8,2 \times 10^{-3}$ | $8,2 \times 10^{-4}$ | ***see footnote 17*** | | | |
| | Indeno(1,2,3-cd)pyrene | | 193-39-5 | ***205-893-2*** | | | ***not applicable*** | ***not applicable*** | ***see footnote 17*** | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Chrysene | | 218-01-9 | ***205-923-4*** | | | ***0,07*** | ***0,007*** | ***see footnote 17*** | | | |
| | Benzo(a)anthracene | | 56-55-3 | ***200-280-6*** | | | ***0,1*** | ***0,01*** | ***see footnote 17*** | | | |
| | Dibenz(a,h)anthracene | | 53-70-3 | ***200-181-8*** | | | ***0,014*** | ***0,0014*** | ***see footnote 17*** | | | |
| | **Fluoranthene** | | **206-44-0** | **205-912-4** | | | **0,12** | **0,012** | ***see footnote 17*** | | | |
| (29) | The Substance Simazine has been moved to Part C of Annex II | | | | | | | | | | | |
| (29a) | Tetrachloroethylene | Industrial substances | 127-18-4 | 204-825-9 | 10 | 10 | not applicable | not applicable | | | | |
| (29b) | Trichloroethylene | Industrial substances | 79-01-6 | 201-167-4 | 10 | 10 | not applicable | not applicable | | X | | |
| (30) | Tributyltin compounds ([18]) (***Tributyltin***-cation) | Biocides | 36643-28-4 | not applicable | 0,0002 | 0,0002 | 0,0015 | 0,0015 | ~~[1,3]~~ **1,6** ([19]) | X | X | X |
| **(31)** | **The substance Trichlorobenzenes has been moved to Part C of Annex II** | | | | | | | | | | | |
| (32) | Trichloromethane | Industrial substances | 67-66-3 | 200-663-8 | 2,5 | 2,5 | not applicable | not applicable | | | | |
| (33) | Trifluralin | Pesticides – herbicides | 1582-09-8 | 216-428-8 | 0,03 | 0,03 | not applicable | not applicable | | X | | |
| (34) | Dicofol | Organochlorine pesticides | 115-32-2 | 204-082-0 | ~~[~~4,45 × $10^{-3}$~~]~~ | ~~[~~0,185 × $10^{-3}$~~]~~ | not applicable ([20]) | not applicable ([20]) | ~~[5.45]~~ ~~4,6~~ **111** fw fish[(32)] **4,6** sw fish[(32)] | X | | X |
| (35) | Perfluorooctane sulfonic acid and its derivatives (PFOS) | Industrial substances | 1763-23-1 | 217-179-8 | Covered by substance group 65 (Per- and ~~poly-fluorinated~~ **polyfluoro**alkyl substances (PFAS) – sum of 24) | | | | | | | |
| (36) | Quinoxyfen | Pesticides – fungicides | 124495-18-7 | not applicable | 0,15 | 0,015 | 2,7 | 0,54 | | X | | X |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (37) | Dioxins and dioxin-like compounds ([21]) ~~(33)~~ | Industrial byproducts | not applicable | not applicable | | | ***not applicable*** | ***not applicable*** | Sum of PCDDs+ PCDFs+ PCB-DLs equivalents ~~[~~3,5 **x** $10^{-5}$~~]~~ ([22]) | X | X | X |
| (38) | Aclonifen | Pesticides - herbicides | 74070-46-5 | 277-704-1 | ~~0,12~~0,12 | ~~0,012~~0,012 | 0,12 | 0,012 | | | | |
| (39) | Bifenox | Pesticides - herbicides | 42576-02-3 | 255-894-7 | 0,012 | 0,0012 | 0,04 | 0,004 | | | | |
| (40) | Cybutryne | Biocides | 28159-98-0 | 248-872-3 | 0,0025 | 0,0025 | 0,016 | 0,016 | | | | |
| (41) | Cypermethrin ([23]) | Pyrethroid pesticides - insecticides | 52315-07-8 | 257-842-9 | $3 \times 10^{-5}$ | $3 \times 10^{-6}$ | $6 \times 10^{-4}$ | $6 \times 10^{-5}$ | | | | X |
| (42) | Dichlorvos | Organophosphate pesticides | 62-73-7 | 200-547-7 | $6 \times 10^{-4}$ | $6 \times 10^{-5}$ | $7 \times 10^{-4}$ | $7 \times 10^{-5}$ | | | | |
| (43) | Hexabromocyclododecane (HBCDD) ([24]) | Industrial substances | See footnote 24 | See footnote 24 | ~~[~~$4,6 \times 10^{-4}$~~]~~ | ~~[~~$2 \times 10^{-5}$~~]~~ | 0,5 | 0,05 | ~~[3,5]~~ **90** $_{\text{fw fish}}$[(32)] **3,5** $_{\text{sw fish}}$[(32)] | X | X | X |
| (44) | Heptachlor and heptachlor epoxide | Organochlorine pesticides | 76-44-8 / 1024-57-3 | 200-962-3/ 213-831-0 | ~~[~~$1,7 \times 10^{-7}$~~]~~ | ~~[~~$1,7 \times 10^{-7}$~~]~~ | $3 \times 10^{-4}$ | $3 \times 10^{-5}$ | ~~[~~0,013~~]~~ | X | X | X |
| (45) | Terbutryn | Pesticides - Biocides | 886-50-0 | 212-950-5 | 0,065 | 0,0065 | 0,34 | 0,034 | | | | |
| (46) | 17 alpha-ethinylestradiol (EE2) | Pharmaceuticals (Estrogenic hormones) | 57-63-6 | 200-342-2 | $1,7 \times 10^{-5}$ | $1,6 \times 10^{-6}$ | not derived | not derived | | | | |
| (47) | 17 beta-estradiol (E2) | Pharmaceuticals - estrogenic hormones | 50-28-2 | 200-023-8 | 0,00018 | $9 \times 10^{-6}$ | not derived | not derived | | | | |
| (48) | Acetamiprid | Neonicotinoid pesticides - insecticides | 135410-20-7 / 160430-64-8 | 603-921-1 | 0,037 | 0,0037 | 0,16 | 0,016 | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (49) | Azithromycin | Pharmaceuticals - macrolide antibiotics | 83905-01-5 | 617-500-5 | 0,019 | 0,0019 | 0,18 | 0,018 | | | | X |
| (50) | Bifenthrin | Pyrethroid pesticides - insecticides | 82657-04-3 | 617-373-6 | $9,5 \times 10^{-5}$ | $9,5 \times 10^{-6}$ | 0,011 | 0,001 | | | | X |
| (51) | Bisphenol-A (BPA) | Industrial substances | 80-05-7 | 201-245-8 | ~~$3,4 \times 10^{-5}$~~ **$1,7 \times 10^{-4}$** | ~~$3,4 \times 10^{-5}$~~ **$1,7 \times 10^{-4}$** | 130 | 51 | ~~0,005~~ **0,025** | X | | |
| (52) | Carbamazepine | Pharmaceuticals | 298-46-4 | 206-062-7 | 2,5 | 0,25 | $1,6 \times 10^{3}$ | 160 | | | | |
| (53) | Clarithromycin ~~(31)~~ | Pharmaceuticals - macrolide antibiotics | 81103-11-9 | 658-034-2 | ~~0,13~~0,13 | ~~0,013~~0,013 | 0,13 | 0,013 | | | | X |
| (54) | Clothianidin | Neonicotinoid pesticides - insecticides | 210880-92-5 | 433-460-1 | 0,01 | 0,001 | 0,34 | 0,034 | | | | |
| (55) | Deltamethrin | Pyrethroid pesticides - insecticides | 52918-63-5 | 258-256-6 | $1,7 \times 10^{-6}$ | $1,7 \times 10^{-7}$ | $1,7 \times 10^{-5}$ | $3,4 \times 10^{-6}$ | | | | X |
| (56) | Diclofenac | Pharmaceuticals | 15307-86-5 / 15307-79-6 | 239-348-5 / 239-346-4 | 0,04 | 0,004 | 250 | 25 | | | | X |
| (57) | Erythromycin | Pharmaceuticals - macrolide antibiotics | 114-07-8 | 204-040-1 | 0,5 | 0,05 | 1 | 0,1 | | | | X |
| (58) | Esfenvalerate | Pyrethroid pesticides - insecticidees | 66230-04-4 | 613-911-9 | $1,7 \times 10^{-5}$ | $1,7 \times 10^{-6}$ | 0,0085 | 0,00085 | | | | X |
| (59) | Estrone (E1) | Pharmaceuticals - estrogenic hormones | 53-16-7 | 200-164-5 | $3,6 \times 10^{-4}$ | $1,8 \times 10^{-5}$ | not derived | not derived | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (60) | Glyphosate | Pesticides - herbicides | 1071-83-6 | 213-997-4 | 0,1 ([25])<br>86,7 ([26]) | 8,67 | **not applicable** (~~[25]~~)<br>398,6(~~[26]~~) | 39,86 | | | | |
| (61) | Ibuprofen | Pharmaceuticals | 15687-27-1 | 239-784-6 | ~~0,22~~ **0,14** | ~~0,022~~ **0,014** | | | | | | X |
| (62) | Imidacloprid | Neonicotinoid pesticides - insecticides | 138261-41-3 / 105827-78-9 | 428-040-8 | 0,0068 | $6,8 \times 10^{-4}$ | 0,057 | 0,0057 | | | | |
| (63) | Nicosulfuron | Pesticides - herbicides | 111991-09-4 | 601-148-4 | 0,0087 | $8,7 \times 10^{-4}$ | 0,23 | 0,023 | | | | |
| (64) | Permethrin | Pyrethroid pesticides - insecticides | 52645-53-1 | 258-067-9 | $2,7\times 10^{-4}$ | $2.7 \times 10^{-5}$ | 0,0025 | $2,5 \times 10^{-4}$ | | | | X |
| (65) | Per- and ~~poly-fluorinated~~ **polyfluoro**alkyl substances (PFAS) – sum of 25 ([27]) ~~([33])~~ | Industrial substances | not applicable | not applicable | Sum of PFOA equivalents 0,0044 ([28]) | Sum of PFOA equivalents 0,0044 ([28]) | not applicable | not applicable | Sum of PFOA equivalents 0,077 ([28]) | X | X | X |
| (66) | Silver | Metals | 7440-22-4 | 231-131-3 | 0,01 | 0,006 (10~~%~~‰ salinity)<br>0,17 (30~~%~~‰ salinity) | 0,022 | not derived | | | | |
| (67) | Thiacloprid | Neonicotinoid pesticides - insecticides | 111988-49-9 | 601-147-9 | 0,01 | 0,001 | 0,05 | 0,005 | | | | |
| (68) | Thiamethoxam | Neonicotinoid pesticides - insecticides | 153719-23-4 | 428-650-4 | 0,04 | 0,004 | 0,77 | 0,077 | | | | |
| (69) | Triclosan ~~([31])~~ | Biocides | 3380-34-5 | 222-182-2 | ~~0,02~~0,02 | ~~0,002~~0,002 | 0,02 | 0,002 | | | | |
| ~~(70)~~ | ~~Total of active substances in pesticides, including their relevant metabolites, degradation and reaction products ([29])~~ | ~~Plant protection products and biocides~~ | | | ~~0,5 ([30])~~ | ~~0,5 ([30])~~ | | | | | | |
| (70) | Sum of active substances in the pesticides and biocides listed in this table ~~([33])~~* | Pesticides and biocides | Not applicable | Not applicable | 0.1* | 0.01* | | | | | | |

([1]) CAS: Chemical Abstracts Service.
([2]) EU number: European Inventory of Existing Commercial Substances (EINECS) or European List of Notified Chemical Substances (ELINCS).
([3]) This parameter is the EQS expressed as an annual average value (AA-EQS). Unless otherwise specified, it applies to the total concentration of all substances and isomers.
([4]) Inland surface waters encompass rivers and lakes and related artificial or heavily modified water bodies.
([5]) This parameter is the EQS expressed as a maximum allowable concentration (MAC EQS). Unless otherwise specified, it applies to the total concentration of all substances and isomers. Where the MAC EQS are marked as "not applicable", the AA EQS values are considered protective against short-term pollution peaks in continuous discharges since they are significantly lower than the values derived on the basis of acute toxicity.
([6]) If an EQS biota **or sediment** is given, it, rather than the water EQS, shall be applied, without prejudice to the provision in Article 3(3) of this Directive allowing an alternative biota taxon, or another matrix, to be monitored instead, as long as the EQS applied provides an equivalent level of protection. Unless otherwise specified, it applies to the total concentration of all substances and isomers. Unless otherwise indicated, the biota EQS relate to fish. For substances numbered 15 (Fluoranthene), 28 (PAHs), and 51 (Bisphenol-A) the biota EQS refers to crustaceans and molluscs. For the purpose of assessing chemical status, monitoring of Fluoranthene **,** ~~and~~ **PAHs**~~,~~ and Bisphenol-A in fish is not appropriate. For substance number 37 (Dioxins and dioxin-like compounds), the biota EQS relates to fish, crustaceans and molluscs, in line with Commission Regulation (EU) No 1259/2011* Annex Section 5.3.
([7]) For the group of priority substances covered by brominated diphenylethers (No 5), the EQS refer to the sum of the concentrations of congener numbers 28, 47, 99, 100, 153 and 154.
([8]) Tetra, Penta, Hexa, Hepta, Octa and Decabromodiphenylether (CAS numbers 40088-47-9, 32534-81-9, 36483-60-0, 68928-80-3, 32536-52-0, 1163-19-5, respectively).
([9]) For Cadmium and its compounds (No 6) the EQS values vary depending on the hardness of the water as specified in five class categories (Class 1: <40 mg CaCO3/l, Class 2: 40 to <50 mg CaCO3/l, Class 3: 50 to <100 mg CaCO3/l, Class 4: 100 to <200 mg CaCO3/l and Class 5: ≥200 mg CaCO3/l).
([10]) No indicative parameter is provided for this group of substances. The indicative parameter(s) must be defined through the analytical method.
~~([11]) DDT total comprises the sum of the isomers 1,1,1 trichloro 2,2 bis (p chlorophenyl) ethane (CAS 50 29 3, EU 200 024 3); 1,1,1 trichloro 2 (o chlorophenyl) 2 (p chlorophenyl) ethane (CAS 789 02 6, EU 212 332 5); 1,1 dichloro 2,2 bis (p chlorophenyl) ethylene (CAS 72 55 9, EU 200 784 6); and 1,1 dichloro 2,2 bis (p chlorophenyl) ethane (CAS 72 54 8, EU 200 783 0).~~
([12]) These EQS refer to bioavailable concentrations of the substances.
~~([13]) The EQS for biota refers to methyl mercury.~~
([14]) Nonylphenol (CAS 25154-52-3, EU 246-672-0) including isomers 4-nonylphenol (CAS 104-40-5, EU 203-199-4) and 4-nonylphenol (branched) (CAS 84852-15-3, EU 284-325-5).
([15]) Octylphenol (CAS 1806-26-4, EU 217-302-5) including isomer 4-(1,1',3,3'-tetramethylbutyl)-phenol (CAS 140-66-9, EU 205-426-2).
([16]) Benzo(a)pyrene (CAS 50-32-8) (RPF 1), benzo(b)fluoranthene (CAS 205-99-2) (RPF 0,1), benzo(k)fluoranthene (CAS 207-08-9) (RPF 0,1), benzo(g,h,i)perylene (CAS 191-24-2) (RPF 0), indeno(1,2,3-cd)pyrene (CAS 193-39-5) (RPF 0,1), chrysene (CAS 218-01-9) (RPF 0,01), benzo(a)anthracene (CAS 56-55-3) (RPF 0,1), ~~and~~ dibenz(a,h)anthracene (CAS 53-70-3) (RPF 1) **and fluoranthene (CAS 206-44-0) (RPF 0,01). Fluoranthene also appears separately in row 15.** The PAHs anthracene~~, fluoranthene~~ and naphthalene are listed **only** separately **because no RPF is available**.
([17]) For the group of polyaromatic hydrocarbons (PAHs) (No 28), the biota EQS refers to the sum of the concentrations of ~~seven~~ **eight** of the ~~eight~~ **nine** PAHs listed in footnote ~~17~~ **16** expressed as benzo(a)pyrene equivalents based on the carcinogenic potencies of the substances relative to that of benzo(a)pyrene, i.e. the RPFs in footnote 16. Benzo(g,h,i)perylene does not need to be measured in biota for the purposes of determining compliance with the overall EQS biota. **The biota EQS for fluoranthene in row 15 must also be complied with.**
([18]) Tributyltin compounds including tributyltin-cation (CAS 36643-28-4).
([19]) Sediment EQS
([20]) There is insufficient information available to set a MAC-EQS for these substances.

([21]) This refers to the following compounds:
7 polychlorinated dibenzo-p-dioxins (PCDDs): 2,3,7,8-T4CDD (CAS 1746-01-6, EU 217-122-7), 1,2,3,7,8-P5CDD (CAS 40321-76-4), 1,2,3,4,7,8-H6CDD (CAS 39227-28-6), 1,2,3,6,7,8-H6CDD (CAS 57653-85-7), 1,2,3,7,8,9-H6CDD (CAS 19408-74-3), 1,2,3,4,6,7,8-H7CDD (CAS 35822-46-9), 1,2,3,4,6,7,8,9-O8CDD (CAS 3268-87-9)
10 polychlorinated dibenzofurans (PCDFs): 2,3,7,8-T4CDF (CAS 51207-31-9), 1,2,3,7,8-P5CDF (CAS 57117-41-6), 2,3,4,7,8-P5CDF (CAS 57117-31-4), 1,2,3,4,7,8-H6CDF (CAS 70648-26-9), 1,2,3,6,7,8-H6CDF (CAS 57117-44-9), 1,2,3,7,8,9-H6CDF (CAS 72918-21-9), 2,3,4,6,7,8-H6CDF (CAS 60851-34-5), 1,2,3,4,6,7,8-H7CDF (CAS 67562-39-4), 1,2,3,4,7,8,9-H7CDF (CAS 55673-89-7), 1,2,3,4,6,7,8,9-O8CDF (CAS 39001-02-0)
12 dioxin-like polychlorinated biphenyls (PCB-DLs): 3,3',4,4'-T4CB (PCB 77, CAS 32598-13-3), 3,3',4',5-T4CB (PCB 81, CAS 70362-50-4), 2,3,3',4,4'-P5CB (PCB 105, CAS 32598-14-4), 2,3,4,4',5-P5CB (PCB 114, CAS 74472-37-0), 2,3',4,4',5-P5CB (PCB 118, CAS 31508-00-6), 2,3',4,4',5'-P5CB (PCB 123, CAS 65510-44-3), 3,3',4,4',5-P5CB (PCB 126, CAS 57465-28-8), 2,3,3',4,4',5-H6CB (PCB 156, CAS 38380-08-4), 2,3,3',4,4',5'-H6CB (PCB 157, CAS 69782-90-7), 2,3',4,4',5,5'-H6CB (PCB 167, CAS 52663-72-6), 3,3',4,4',5,5'-H6CB (PCB 169, CAS 32774-16-6), 2,3,3',4,4',5,5'-H7CB (PCB 189, CAS 39635-31-9).

([22]) For the group of Dioxins and dioxin-like compounds (No 37), the biota EQS refers to the sum of the concentrations of the substances listed in footnote ~~20~~ **21** expressed as toxic equivalents based on the World Health Organisation 2005 Toxic Equivalence Factors.

([23]) CAS 52315-07-8 refers to an isomer mixture of cypermethrin, alpha-cypermethrin (CAS 67375-30-8, EU 257-842-9), beta-cypermethrin (CAS 65731-84-2, EU 265-898-0), theta-cypermethrin (CAS 71691-59-1) and zeta-cypermethrin (CAS **1315501-18-8** ~~52315-07-8~~, EU 257-842-9).

([24]) This refers to 1,3,5,7,9,11-Hexabromocyclododecane (CAS 25637-99-4, EU 247-148-4), 1,2,5,6,9,10- Hexabromocyclododecane (CAS 3194-55-6, EU 221-695-9), α-Hexabromocyclododecane (CAS 134237-50-6), β-Hexabromocyclododecane (CAS 134237-51-7) and γ- Hexabromocyclododecane (CAS 134237-52-8).

([25]) For freshwater used for the abstraction and preparation of drinking water.

([26]) For freshwater not used for the abstraction and preparation of drinking water.

([27]) This refers to the following compounds, listed with their CAS number, EU number and Relative Potency Factor (RPF)~~**, as well as their derivatives**~~:
Perfluorooctanoic acid (PFOA) (CAS 335-67-1, EU 206-397-9) (RPF 1), Perfluorooctane sulfonic acid (PFOS) (CAS 1763-23-1, EU 217-179-8) (RPF 2), Perfluorohexane sulfonic acid (PFHxS) (CAS 355-46-4, EU 206-587-1) (RPF 0,6), Perfluorononanoic acid (PFNA) (CAS 375-95-1, EU 206-801-3) (RPF 10), Perfluorobutane sulfonic acid (PFBS) (CAS 375-73-5, EU 206-793-1) (RPF 0,001), Perfluorohexanoic acid (PFHxA) (CAS 307-24-4, EU 206-196-6) (RPF 0,01), Perfluorobutanoic acid (PFBA) (CAS 375-22-4, EU 206-786-3) (RPF 0,05), Perfluoropentanoic acid (PFPeA) (CAS 2706-90-3, EU 220-300-7) (RPF 0,03), Perfluoropentane sulfonic acid (PFPeS) (CAS 2706-91-4, EU 220-301-2) (RPF 0,3005), Perfluorodecanoic acid (PFDA) (CAS 335-76-2, EU 206-400-3) (RPF 7), Perfluorododecanoic acid (PFDoDA or PFDoA) (CAS 307-55-1, EU 206-203-2) (RPF 3), Perfluoroundecanoic acid (PFUnDA or PFUnA) (CAS 2058-94-8, EU 218-165-4) (RPF 4), Perfluoroheptanoic acid (PFHpA) (CAS 375-85-9, EU 206-798-9) (RPF 0,505), Perfluorotridecanoic acid (PFTrDA) (CAS 72629-94-8, EU 276-745-2) (RPF 1,65), Perfluoroheptane sulfonic acid (PFHpS) (CAS 375-92-8, EU 206-800-8) (RPF 1,3), Perfluorodecane sulfonic acid (PFDS) (CAS 335-77-3, EU 206-401-9) (RPF 2), Perfluorotetradecanoic acid (PFTeDA) (CAS 376-06-7, EU 206-803-4) (RPF 0,3), Perfluorohexadecanoic acid (PFHxDA) (CAS 67905-19-5, EU 267-638-1) (RPF 0,02), Perfluorooctadecanoic acid (PFODA) (CAS 16517-11-6, EU 240-582-5) (RPF 0,02), ~~and Ammonium perfluoro (2-methyl-3-oxahexanoate)~~**2,3,3,3-tetrafluoro-2-(heptafluoropropoxy)propionic acid** (HFPO-DA~~or Gen X~~) (CAS ~~62037-80-3~~ **13252-13-6**) (RPF 0,06), ~~Propanoic Acid / Ammonium~~ 2,2,3-trifluoro-3-(1,1,2,2,3,3-hexafluoro-3-(trifluoromethoxy)propoxy)propano~~ate~~**ic acid** ~~(ADONA)~~ (CAS ~~958445-44-8~~ **919005-14-4**) (RPF 0,03), 2- (Perfluorohexyl)ethyl alcohol (6:2 FTOH) (CAS 647-42-7, EU 211-477-1) (RPF 0,02), 2-(Perfluorooctyl)ethanol (8:2 FTOH) (CAS 678-39-7, EU 211-648-0) (RPF 0,04) and ~~Acetic acid / 2~~,2-difluoro-2-((2,2,4,5-tetrafluoro-5-(trifluoromethoxy)-1,3-dioxolan-4-yl)oxy)**acetic acid** (C6O4) (CAS 1190931-41-9) (RPF 0,06), Trifluoroacetic acid (TFA) (CAS 76-05-1, EU 200-929-3) (RPF 0.002).

([28]) For the group of PFAS (No 65), the EQS refer to the sum of the concentrations of the 25 PFAS listed in footnote 27**,** ~~and their derivatives,~~ expressed as PFOA-equivalents based on the potencies of the substances relative to that of PFOA, i.e. the RPFs in footnote 27. **The critical EQS is the biota EQS (relating to fish consumption) and must therefore be complied with. The AA-EQS are not equivalently protective.**

~~([29]) 'Pesticides' means plant protection products as referred to in Article 2 of Regulation (EC) No 1107/2009and biocidal products as defined in Article 3 of Regulation (EU) No 528/2012.~~

~~([30]) 'Total' means the sum of all individual pesticides detected and quantified in the monitoring procedure, including their relevant metabolites, degradation and reaction products.';~~

**(32) 'fw fish' indicates the $EQS_{biota}$ for freshwater fish monitored in inland waters ; 'sw fish' indicates the $EQS_{biota}$ for saltwater fish monitored in other surface waters**

**(33) The minimum performance criteria laid down in Directive 2009/90/EC apply to each individual substance within the group of substances but taking account of the need to quantify the contribution of each substance to the total concentration for comparison with the EQS**

*With the following exceptions: the four pesticides to be monitored in biota or sediment, i.e. the substances numbered 16, 30, 34 and 44, and glyphosate.

**ANNEX 9 (Totals/sum): new**

The following Annex is inserted into Directive 2008/105/EC

**ANNEX III**

SUBSTANCES SUBJECT TO REVIEW FOR POSSIBLE IDENTIFICATION AS PRIORITY SUBSTANCES OR PRIORITY HAZARDOUS SUBSTANCES

| **Name of substance** | **CAS number** | **EU number** |
|---|---|---|
| Sum of Bisphenols | not applicable | not applicable |
| Sum(s) of selected pesticides by mode of action | not applicable | not applicable |
| Sum(s) of selected pharmaceuticals by mode of action | not applicable | not applicable |
| | | |

| Recital 8 | | | | |
|---|---|---|---|---|
| 18 | (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. 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, | (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*** | (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)**, trichloro-ethylene and tetrachloro-ethylene** 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 | (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*** |

| | | | | |
|---|---|---|---|---|
| | 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. | ***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. | 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. | ***subset of specific PFAS 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 should therefore be added to the list of priority substances.*** Voluntary monitoring in groundwater, and watch-list monitoring under Article 8b of Directive 2008/105/EC have ***also*** confirmed a risk in groundwaters and surface waters from a number of pharmaceutical substances which should therefore be added to the list of pollutants in Annex I to Directive 2006/118/EC or to the priority substances list as relevant. In groundwater, the cumulative risk from pharmaceuticals should be addressed by setting a quality standard for the sum of eight selected pharmaceuticals identified during that watch-list monitoring. In surface water, cumulative risk from estrogenic pharmaceuticals should be addressed by effect-based monitoring and, taking into account data from more recent and ongoing watch-list monitoring, the Commission should consider setting |

| | | | | |
|---|---|---|---|---|
| | | | | standards for the sum(s) of selected pharmaceuticals, potentially based on mode of action, at the next review; for this reason “sum(s) of selected pharmaceuticals’ should be added to Annex III to Directive 2008/105/EC. The Commission should also consider setting standards for total pharmaceuticals, supported by appropriate monitoring methods. Member States are encouraged to monitor also PFAS Total in groundwater ~~and surface water~~ using the guidance adopted under Article 13(7) of 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. The Commission should consider ~~the guidance and~~ the results obtained by Member States in defining a monitoring method for PFAS Total specifically in groundwater, and encourage Member States to apply it. The Commission should adapt the method to facilitate the monitoring of PFAS Total in surface water and encourage the Member States to apply it. The Commission should also consider setting quality standards for PFAS Total in groundwater and |

| | | | | |
|---|---|---|---|---|
| | | | | surface waters during the next review of the lists of pollutants in Annexes I to Directives 2006/118/EC and 2008/105/EC. |
| Recital 8a | | | | |
| 18a | | ***(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[1] 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*** | | To be discussed. |

| | | | | |
|---|---|---|---|---|
| | | ***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.***<br><br>_____<br>***1. 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.*** |  | |
| Recital 8b | | | | |
| 18b | | ***(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[1]. 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,*** | | Not relevant if Atrazine is indeed moved to Annex II Part C.. |

| | | | | |
|---|---|---|---|---|
| | | ***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[2].***<br><br>_____<br>***1. Commission Decision 2004/248/EC of 10 March 2004 concerning the non-inclusion of atrazine in Annex I to Council Directive91/414/EEC and the withdrawal of authorizations for plant protection products containing this active substance (OJ L 78, 16.3.2004, p. 53).***<br>***2. 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) (OJ L 435, 23.12.2020, p. 1).*** | | |
| Recital 8c | | | | |
| 18c | | ***(8c) According to SCHEER[1] and EMA[2], the generic quality standard of 0,1 µg/L and 0,5 µg/L for*** | | See Recital 11b below~~re pesticides in surface waters.~~ |

| | | | | |
|---|---|---|---|---|
| | | ***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[3], interim threshold values, based on best available scientific knowledge, should be established.***<br><br>_____<br>***1. 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.***<br>***2. EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.***<br>***3. European Groundwater Memorandum: To secure the quality and quantity of drinking water for future generations, March 2022.*** |  | |
| Recital 8d | | | | |
| 18d | | ***(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*** | | ***(8d) Bisphenol-A should be added to the list of substances in Annex I to Directive 2008/105/EC and designated as a priority hazardous substance. Scientific evidence shows that bisphenols other than Bisphenol-A have endocrine-disrupting potential, and thus that replacing the use of one by the use of another might not have the intended benefit. Further, mixtures of bisphenols could pose a cumulative risk. The Commission*** |

| | | | | |
|---|---|---|---|---|
| | | ***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.*** |  | ***should therefore review the listing of bisphenols in general at the next review, and consider the establishment of an EQS for 'Bisphenols Total' or at least for the 'Sum of Bisphenols', including at least Bisphenol-B and Bisphenol-S, supported by appropriate monitoring methods. The 'Sum of Bisphenols' should therefore be listed in Annex III to Directive 2008/105/EC~~, along with other parameters which the Commission should consider adding to the priority substances list at the next review.~~ Furthermore, Member States should give particular consideration to whether to identify and monitor at least Bisphenol B and Bisphenol S as river basin specific pollutants, where potentially relevant, and to reporting the data in line with Article 8(4) of Directive 2000/60/EC to ensure that the risk from the sum of those bisphenols and Bisphenol A can be properly assessed at the next review. The Commission should also consider establishing quality standards for 'Bisphenols Total' and 'Sum of Bisphenols' in Directive 2006/118/EC.*** |
| Recital 8a (Council's mandate) | | | | |

| | | | | |
|---|---|---|---|---|
| 18e | | | **(8a) Taking into account that groundwater is the main source of drinking water in Europe, it is essential to harmonize the quality standards in line with the parametric values set for drinking water under Directive (EU) 2020/2184. This is especially the case for PFAS. However, it has recently been demonstrated that the parametric value relating to the sum of the 20 PFAS, as listed in point 3 of Part B of Annex III to Directive (EU) 2020/2184, is not in line with the latest scientific developments in respect to the list of PFAS to be given priority consideration, the toxicity of these substances, and the variability of this toxicity between the substances in this family. In the absence of a complete and final agreement on the harmonization of standards, a quality standard for the group of 20 PFAS mentioned above is set in Annex I of Directive 2006/118/EC, by way of reference to the parametric value for that group in Directive (EU) 2020/2184 in order to ensure that any change to that value should automatically be incorporated into Directive 2006/118/EC. To take account of the recent scientific knowledge, a** | To be further discussed. |

| | | | | |
|---|---|---|---|---|
| | | | **quality standard for the sum of the four most problematic PFAS is added to Annex I to Directive 2006/118/EC in accordance with the value proposed by the European Food Safety Authority. Future amendments to Directive (EU)2020/2184 should also apply to this sum parameter.** | |
| Recital 8b (Council's Mandate) | | | | |
| 18f | | | **(8b) Taking into account the most recent scientific knowledge, including on new parameters such as TFA, it is of utmost importance that the parametric values for PFAS in Directive (EU) 2020/2184 be promptly reviewed and revised as appropriate and, in that case also the quality standards in Annex I to Directive 2006/118/EC be aligned.** | To be further discussed. |
| Recital 8c (Council's Mandate) | | | | |
| 18g | | | **(8c) Pharmaceutical active substances are of great concern for ecosystems. Groundwater quality standards for pharmaceuticals should therefore be aligned, for the substances most frequently encountered in groundwater bodies, with the values adopted or proposed as environmental quality standards to be achieved in surface waters. This should ensure the** | |

| | | | | |
|---|---|---|---|---|
| | | | **protection of associated aquatic ecosystems and dependent terrestrial ecosystems. Stricter standards are needed to protect sensitive groundwater ecosystems. Member States should work with the Commission under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying such ecosystems. As soon as a reliable method is available, Member States should, where relevant, apply that method. If a Member State identifies the presence of such ecosystems, it should set stricter quality standards or threshold values accordingly, unless the standard has been set to protect human health and is already sufficiently strict to protect the sensitive ecosystems.** | |
| Recital 8e | | | | |
| 18h | | ***(8e) According to the European Medicines Agency (EMA)[1], 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.***<br><br>_____<br>***1. EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.*** | | |



| Recital 11 | | | | |
|---|---|---|---|---|
| 21 | (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 | (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 | (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 | ***The conventional chemical analytical methods used for monitoring substances under this Directive cannot, in general, determine cumulative (or mixture) risk***. Considering the growing awareness of the relevance of mixtures and therefore of effect- |

| | | | | |
|---|---|---|---|---|
| | 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. | 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*~~***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*** | States **are encouraged to** ~~should~~ apply such methods **on a voluntary basis** 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 **and could also replace substance-by-substance monitoring. The concept of effect based trigger values should be defined**~~. The definition of EQS~~ in Directive 2000/60/EC **and the definition of good chemical status** 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. | 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 pharmaceutical substances listed in Annex I to Directive 2008/105/EC. ***The Commission should publish a report on*** ~~T~~that comparison and an analysis of ~~will be used to assess~~ whether effect-based monitoring methods ***deliver data robust and accurate enough to allow them to*** ~~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***, and could also replace substance-by-substance monitoring at many locations. The concept of effect based trigger values should be*** |

| | | | | |
|---|---|---|---|---|
| | | ***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. |  | ***defined***~~. The definition of EQS~~ in Directive 2000/60/EC ***and the definition of good chemical status*** 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. |
| Recital 11b | | | | |
| | | | | Whereas the risk from mixtures of pesticides is to some degree covered in Directive 2006/118/EC by the quality standard for total pesticides, the risk from such mixtures is not addressed in Directive 2008/105/EC. To at least partly address that cumulative risk, an EQS should therefore be set for the sum of the pesticides included in the list of priority substances that are to be monitored in water, and that EQS should be taken into account when assessing chemical status.<br><br>To take better account of mixture risk in future, the Commission should consider setting standards |

| | | | | |
|---|---|---|---|---|
| | | |  | for the sum(s) of selected pesticides, potentially based on mode of action and possibly covering more pesticides that those listed individually in Annex I, at the next review; for this reason "sum(s) of selected pesticides' should be added to Annex III to Directive 2008/105/EC. It should also consider whether a risk-based approach could be taken to establishing an EQS for total pesticides, supported by an appropriate monitoring method.<br><br>***Because the generic quality standards of 0,1 µg/L and 0,5 µg/L for individual and total pesticides in groundwater specified in Annex I to Directive 2006/118/EC were established in the 1980s, and limited by the sensitivity of the analytical methods available at that time, they may not be sufficiently protective of human health or the environment, and the Commission should therefore review these values at the next*** |

| | | | | |
|---|---|---|---|---|
| | | | | ***review of the list of pollutants in groundwater.*** |
| | | | | |

| Article 2, first paragraph, point (7), amending provision, numbered paragraph (6a) | | | | |
|---|---|---|---|---|
| 211c | | ***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.*** | | See para 7a below. |

| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7a) | | | | |
|---|---|---|---|---|
| 212a | | | **7a. Member States may from … [OP please insert the date = the first day of the month following 24 months after the publication of the method developed in accordance with Article 13(7) of the Directive (EU) 2020/2184 of the European Parliament and of the Council of** | (See Recital 8 (line 18) – which applies also to SW.)<br>The Commission shall consider establishing a quality standard for PFAS Total in groundwater at the next review, and aim to complement the guidance on monitoring PFAS Total in drinking |

| | | | | |
|---|---|---|---|---|
| | | | **16 December 2020 on the quality of water intended for human consumption], for a period of two years, monitor "total PFAS" using the method developed in accordance with Article 13(7) of the 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. Where the Member States decide to do so, they shall conduct the monitoring at appropriate locations and select a number of sites in representative groundwater bodies.";** | water, developed in accordance with Article 13(7) of 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, to make it applicable to monitoring PFAS Total in groundwater.<br>Member States are encouraged to already apply that guidance to monitor PFAS Total in groundwater and to report the the data in line with Article 8(4) of Directive 2000/60/EC. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7b) | | | | |
| | | | | The Commission shall consider at the next review whether a risk-based approach could be taken to establishing a quality standard for total pharmaceuticals in groundwater , supported by suitable monitoring methods. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7c) | | | | |
| | | | | The Commission shall consider at the next review whether to establish a quality standard for |

| | | | | |
|---|---|---|---|---|
| | | | | 'Sum of Bisphenols' in groundwater, and whether a risk-based approach could be taken to establishing a quality standard also for 'Bisphenols Total' in groundwater, supported by suitable monitoring methods. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7d) | | | | |
| | | | | The Commission shall consider at the next review whether to revise the quality standards in Annex I to this Directive for pesticides (individual and total) and for non-relevant metabolites in groundwater. |

| *Article 3, first paragraph, point (5), amending provision, numbered paragraph (6a)* | | | | |
|---|---|---|---|---|
| *292a* | | ***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 settting a quality standard for 'PFAS total' and amending Annex I accordingly.*** | | The Commission shall consider establishing quality standards for PFAS Total in surface waters at the next review, and aim to complement the guidance on monitoring PFAS Total in drinking water, developed in accordance with Article 13(7) of 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, to make it applicable to monitoring PFAS Total in surface waters. Member States are encouraged to already apply that guidance to monitor PFAS Total in surface waters and to report the the data in line with Article 8(4) of Directive 2000/60/EC. |
| Article 3, first paragraph, point (5), amending provision, numbered paragraph (6b) | | | | |
| 292b | | ***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.*** | , | ***6b. A parameter 'Sum of Bisphenols' and parameters for the sum(s) of selected pesticides and selected pharmaceuticals shall be included in Annex III to Directive 2008/105/EC. The Commission shall review the possible inclusion of these parameters in the priority substances list at its next review, and set EQS as appropriate. The Commission shall also consider at the next review whether a risk-based approach could be taken to establishing EQS for total bisphenols, total pesticides and total pharmaceuticals in surface waters, supported by suitable monitoring methods.*** |

**GWD Annex I –**

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| [Entry] N° | Name of substance | Category of substances | CAS number ([1]) | EU number ([2]) | Quality Standard ([3])<br>[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)<br>0,5 (total) ([5]) |
| **3** | **PFAS** | | | | |
| 3.1 | **Sum of PFAS**<br>~~Per- and poly-fluorinated alkyl substances (PFAS) - sum of 24~~ ([6]) | Industrial substances | ~~See table note 6~~ | ~~See table note 6~~ | ~~0,0044 ([7])~~<br>**The parametric value as defined in Annex I part B of Directive 2020/2184/EC**<br>Proposal made for separate TFA standard in GW, based on RIVM (NL) value. |

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| **3.2** | **Sum of 4 PFAS** [(6.2)] | **Industrial substances** | **See table note 6.2** | **See table note 6.2** | **0,0044** |
| 3.3 | Trifluoroacetic acid | | 76-05-1 | 200-929-3 | 2,2** |
| 4 | Carbamazepine | Pharmaceuticals | 298-46-4 | not applicable | ~~0,25~~ **2,5**[(13)] |
| 5 | Sulfamethoxazole | Pharmaceuticals | 723-46-6 | not applicable | ~~0,01~~ **0,1**[(13)] |
| 6 | **Primidone**<br>~~Pharmaceutical active substances – total (8)~~ | Pharmaceuticals | **125-33-7**<br>~~not applicable~~ | | ~~0,25~~ **(2,5)** [(13)] |
| | Sum of pharmaceutical active substances* | Pharmaceuticals | not applicable | not applicable | 2,5[(13)] |
| 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)<br>~~0,5 (9) or~~ 5 ~~(10) or 12,5 (11)~~ (total) (12) |

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| **8** | **Trichloro-ethylene and Tetrachloroethylene (sum of two)** | **Industrial substances** | **79-01-6 and 127-18-4** | **201-167-4 and 204-825-9** | **10 (total)([14])** |



**([6.2]) This refers to the following compounds, listed with their CAS number: (355-46-4) Perfluorohexane sulfonic acid (PFHxS); (1763-23-1) Perfluorooctanesulfonic acid (PFOS); (335-67-1); Perfluorooctanoic acid (PFOA); (375-95-1) Perfluorononanoic acid (PFNA); (68259-12-1). For the sum of 4 PFAS, the CAS numbers listed refer only to the protonated form of the individual PFAS but the sum applies to the total concentration of the dissolved substances including protonated and deprotonated forms and their isomers linear and branched.**

** If other PFAS are present, this should be taken into account in the risk assessment.

*The sum shall apply to the sum of the following active substances: carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone and iopamidol.

~~**If groundwater ecosystems are found to be present, consideration should be given to setting a lower standard~~

## ANNEX 10 (Inventories / IED): new



**Explanation compromise:**

- EP wants to keep the information on inventories of emissions available in the RBMPs, in an electronically accessible database; irrespective of the possible reporting to the Industrial Emissions Portal.
- Council wants to also include the diffuse emissions in the 'simplified' reporting to the Industrial Emissions Portal.
- Council would also accept to include the 'point source emissions below thresholds or outside scope of the IE Regulation' in the Portal; subject to such reporting being done only every six years and in accordance with a format to be set out in an implementing act, in cooperation with EEA who manages the Portal
- Council wants EC to assess, every six years, whether the info on emissions shows sufficient progress towards objectives under Art 4 WFD

**Compromise:**

- Keep the title 'inventories of emissions', to clarify that these will continue to be included (referred to via a link to the Portal) in the RBMPs;
- Include diffuse emissions in the reporting to IE Portal
- Clarify that, for what concerns point source emissions below the threshold/out of scope of the Industrial Emissions Portal Regulation, as well as for diffuse emissions, the Commission will first, in cooperation with the EEA, set out the details of the (six year) reporting in an implementing act, for MS to use as from the fifth cycle;
- Art 7a EQSD already provides for an obligation for the EC to assess whether measures at MS and Union level are sufficient to achieve compliance with objectives and in particular phase out emissions of priority hazardous substances

**Article 5 is amended as follows (green highlighted = EP amendment; blue highlighted = Council amendment and yellow highlighted = EC compromise text):**

(a) paragraph 1 is replaced by the following:

'1. On the basis of the information collected in accordance with Articles 5 and 8 of Directive 2000/60/EC and other available data, each Member State~~s~~ 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 substances identified by the Member State as river basin specific 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 first subparagraph shall not apply to emissions, discharges and losses reported, on a yearly basis, ~~to the Commission~~ electronically to the **Industrial Emissions Portal established under** Regulation (EU) ~~.../...~~**2024/1244** of the European Parliament and of the Council[1], **in accordance with Article 7 of that Regulation."**;

(b) paragraphs 2 and 3 are deleted;

(c) paragraph 4 is replaced by the following:

'4. 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.~~

The reference period for the establishment of values in the updated inventories shall be the year before the year in which the analyses specified under Article 5(2) of Directive 2000/60/EC are to be completed ~~the first subparagraph are to be completed~~.

~~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.~~

As part of these updates, Member States shall ensure that the **point source emissions to water** not falling under the scope of Regulation (EU) 2024/1244 or falling below the annual reporting thresholds set out in that Regulation, as well as the emissions of pollutants from **diffuse sources** in the sense of Article 8 of Regulation (EU) 2024/1244, to water, are also reported electronically to the Commission in order to be made available in ~~included to~~ the Industrial Emissions Portal established under Regulation (EU) ~~.../...++, are published in their~~ 2024/1244, at least **every six years,** ~~and~~ aggregated at the level of each river basin ~~management plans as updated in accordance with Article 13(7) of that Directive~~ district or part thereof lying within a Member State's territory.

~~For point source emissions not reported in accordance with Regulation (EU) .../... +++, because they do not fall under the scope of that Regulation or because they are below the annual reporting thresholds set out in that Regulation, the reporting obligation set out in the first subparagraph of this Article shall be fulfilled by electronic reporting to the Industrial Emissions Portal established under that Regulation.~~

The Commission shall, ~~assisted by the European Environment Agency~~ adopt an implementing act establishing the format, ~~level of granularity and frequency~~ of the reporting referred to in the third ~~fourth~~ subparagraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 9(2).'; When establishing that implementing act, the Commission shall be assisted, where so required, by the EEA.

4a. Member States shall ensure that the river basin management plans established in accordance with Article 13 of Directive 2000/60/EC~~,~~ include a clear reference or weblink to all the emissions to water ~~reported~~ made available in the Industrial Emissions Portal in accordance with paragraphs one and three ~~four~~.

(d) paragraph 5 is deleted

| Cluster | Issue | Lines | Flexibilities/ Red lines | RO Comments |
|---|---|---|---|---|
| **1 - Monitoring** | Effect based Monitoring | 21, 305-307 | | We support the CONS mandate which specify that Member State are encouraged to apply such methods on a voluntary basis to assess the cumulative effects of estrogenic substances in surface waters over a period of at least two years.<br><br>Related to the EBM monitoring results reporting, it should be at least in a 24th mounth from the beggining of the starting of the monitoring. |
| **2 - Horizontal issues** | Definitions | 52, 57a, 59 | | ok |
| | GW ecosystems / ecological status of GW and Areas of special concern and high ecological values | 67a-b, 149a, 154a-b, 176, 195b-g | | We welcome the removal of the stricter threshold values for GW (10 times lower than the corresponding EQS for SW).<br><br>As regards groundwater ecosystems, these are not defined in WFD nor in the GWD. The notion of ecological status of groundwater is introduced without providing its definition or a methodology for its assessment. We contnue to express our concern regarding the inclusion of criteria for assessing the good ecological status of groundwater" without a prior definition of what would constitute "good ecological status" for groundwater. Also, the lack of methodologies for this |

| | | | | |
|---|---|---|---|---|
| | | | | assessment is of concern for us. **However, we would be open to a compromise on the inclusion of a provision on the monitoring of groundwater ecosystems on a voluntary basis**. |
| | Non – deterioration clause & exemptions | *57b*, 63a-d, 65c-e, **67c-u** | | We understand that this is an issue for some Member States, therefore we are open to considering this clause and exemptions. |
| | Access to justice | **106d – 106k** | | We don't see the need of having such a provision. This is a horizontal issue and need a horizontal approach.<br>*Fall back: if it is really needed, it is important to have an agreed language from other legislative acts.* |
| | Extended producer responsibility | **195h–j, 195q, 329a-c, 329j** | | *We can support the approach of the PL PRES* |

| | | | | |
|---|---|---|---|---|
| | **Synthetic substances (Repository)** | **GWD, Annex II, part D,** | | |
| | **Deselection of substances** | **EQSD, Annex I and II** | | **We agree with the compromise proposal.** |
| | **Pharmaceuticals** | | **Red line** | **We cannot agree with quality standards for the sum of pharmaceuticals active substances (both for GW and SW) as they are too strict, not justified nor scientifically proven.**<br>**We support the CONS approach to maintain the quality standards for individual pharmaceuticals.** |
| **3 -Substances** | **Pesticides** | **18, 18a-h, 21, 211c, 212a, 292a-b** | **Red line** | **We cannot agree with the introduction of „sum of selected pesticides by mode of action" as there is no reliable methodology for their assessment.**<br>**Please maintain the CONS approach for this phase of review, considering that for the next review, the Commission will also consider setting a total pesticides EQS in surface waters, supported by an appropriate monitoring method.** |
| | **Bisphenols** | | **Red line** | **We cannot agree with the concept of „holding place" in the annexes of EQSD and GWD.**<br>**Please take into** |

| | | | | |
|---|---|---|---|---|
| | | | | **consideration their inclusion in a subsequent review, when all elements for establishing QS are available.**<br>**We do not agree with the inclusion of Total/Sum of Bisphenols in the current revision.** |
| | **PFAS** | | **Red line** | **We continue to propose the elimination of the subset of PFAS in groundwater, in order to avoid the situation of having 2 quality standards for substances in the same class.**<br>**Moreover, this approach vis-à-vis the subset of PFAS compounds has no correspondence in the DWD, in order to have an alignment.**<br>**Please maintain the CONS approach with regards to Sum of PFAS in groundwater and surface water. As proposed, the Commission shall consider establishing quality standards for PFAS Total in surface waters and groundwater at the next review and aim to complement the guidance on monitoring PFAS Total in drinking water to make it applicable to monitoring PFAS Total in GW and SW.** |

| | | | | |
|---|---|---|---|---|
| | | | | **Please see SCHEER - Scientific Opinion on "Draft Environmental Quality Standards for PFAS total under the Water Framework Directive"** SCHEER - Scientific Opinion on "Draft Environmental Quality Standards for PFAS total under the Water Framework Directive" - European Commission |
| **Annex 8** | | | **Flexibility** | **Needs for more clarification mainly because the proposed value for sum of active substances in the pesticides and biocides is inconsistent with EQS of individual pesticides.** |
| **Annex 9** | | | **Flexibility** | **Recital 11b: Please consider that the quality standards for individual and total pesticides were revised in the Drinking Water Directive (recast in 2020) and were considered to be sufficiently protective of human health.** |
| **Reporting cluster - Annex 10** | **IED and energy transition related reporting** | **179a, 253-254, 257-261, 321a** | **Flexibility** | **ok** |

# FINLAND

## written comments on issues discusses at the WPE on the 2nd of June 2025 on priority substances in water directive 2022/0344(COD)



We would like to thank the Presidency for the preparation of the drafts for compromise. In general, we can support large number of the drafted texts, but we would like to highlight some points which are important for Finnish point of view.

**Cluster 1. Monitoring cluster: Effect based Monitoring; 21, 305-307**

In principle Finland is in favor of new modern monitoring methods like earth observation and remote sensing and effect-based monitoring methods. But the aim of using these methods should be to modernize and reduce the use of resources, which is used to the current requirement of the Directives. We also see that the new obligations should not increase the cost of the monitoring.

Effect-based method should only be used as voluntary basis and in purpose of screening water bodies identified being at risk, based on the pressures and in which monitoring of these substances (estrogenic substances, which seems to be the only group of substances we have the method available) is required more intensively. This kind of testing of suitability of a method should be made in a scientific research project, not as part of implementation of directive.

**Cluster 2. Horizontal issues: Definitions, GW ecosystems / ecological status of GW and Areas of special concern and high ecological values, Non – deterioration clause & exemptions, Access to justice, Extended producer responsibility**

**Non-deterioration:** For Finland it is utterly important the definition of non-deterioration is exactly in line with the Weser-ruling. We understand that the COM and EP would like to be sure that the level of protection is safeguarded, and therefore proposing more stringent conditions for exemptions. By adding all these new conditions, the exemptions will become too difficult to apply, and the new conditions added are too restrictive. The purpose of the new exceptions is to overcome real practical difficulties member states encounter while applying current provisions. Furthermore, current art. 4.7 is not applicable for chemical pollution at all.

**Art. 4.7a – temporary deterioration:** Finland sees, that 4.7a should also cover the ecological status. If three years recovery time for biological elements is not acceptable, we can be flexible with provision, but we see that more than one year could be more feasible. For example, restoration projects, such as dam removal, can cause short term deterioration in physio-chemical water quality and as well in biological quality elements. To summarize, Finland would prefer that the provision on ecological status is included to the text than totally delete it from the article.

The addition in the point d) for a requirement “on the basis of scientific evidence” is quite demanding in the context that this exception would be applied in the future. For Finland it is important to keep the ambition to reach and maintain good status of waters, but in practice this exemption might be needed when applying some of the restoration measures required by the Nature Restauration Law.

**Art. 4.7b -** Regarding the compromise text on the new article 4.7.b, Finland can be flexible and support many of the compromises in the current text of the presidency proposal. However, adding the less than good ecological status in paragraph c) as part of the text, it would mean that this exemption could be applied only to water bodies which are not in good ecological status. In Finland we have water bodies with good or even high ecological status and poor chemical status which is caused by for example mercury. So that means that not all substances listed as priority substances affects the ecological status. Therefor we do NOT support adding the ecological status as part of the text. However, the proposed amendment to the end of paragraph c) is acceptable.

**Definitions:** We **do not support** the reintroduction of the **Effect-base-threshold value (EBTV)** to the definition of the good chemical status, because now we only are in the phase to find out the usefulness of the effect-based methods as such, and there are EBMs available only for districted effects like hormonal activity (estrogen). We find that the assessment of chemical status should be based on substance specific EQS values until these methods are so advanced that they could replace the substance-based assessment of the status and help to decrease the monitoring burden. In practice the measures are still connected to specific substances to reduce discharges and to achieve or to maintain good chemical status.

**GW Ecosystems:** Finland can be **flexible** with the presidency compromise text **tasking the EU commission to develop methodology** to assess the presence of groundwater ecosystems. We see that this topic needs still lot more scientific research before identifying specific ecological elements for assessing the ecological status of groundwaters. The current environmental objectives for groundwaters; good quantitative and chemical status, protects also the possibly existing groundwater ecology. In setting threshold values for groundwater, the most sensitive receptor should be identified, and the groundwater threshold values should set at the level that protects also the most vulnerable receptors like ecosystems in groundwaters.

It is **red line** for Finland that the provision on stricter groundwater standards which is based only on the multiplication of the environment quality standards for surface waters, **is not** included to the compromise. The EQS-, QS -value and threshold values should always be based on the scientific knowledge and relevant matrixes or types of waters.

**Access to justice:** In principle, access to justice is important in all environmental legislation, however, it's necessary that there is enough flexibility for member states. We already have the Århus convention and its requirements. Furthermore, we see that access to justice should also be in line with other environmental legislation negotiated.

**Extended producer responsible:** Finland cannot support adding the EPR system in this piece of legislation, due to for example demands in resources and low cost-effectiveness of the system in general. However, we can be flexible to the presidency compromise text tasking the Commission to estimate the feasibly of the EPR mechanism to this directive.

**Cluster 3 Substances cluster: Synthetic substances (Repository), Deselection of substances, Pharmaceuticals, Pesticides, Bisphenols, PFAS:**

Pesticides and pharmaceuticals are wide group of substances which have different effects with different mechanisms and at completely different concentration levels. So, it would be a difficult to come up, even in a weighted manner, with EQS for sum value.

**Pharmaceuticals:** There are huge differences in amounts of pharmaceutical or active substances which different laboratory method can detect, which means that the results are not comparable in different member states and therefor the total -EQS values cannot be used in status assessment.

However, the current text with a proposal including a QS/EQS of sum of listed substances could be a compromise to this difficult issue. The selection of listed substances or active substances for monitoring should be based on risk assessment and existing knowledge of presence of pharmaceuticals in groundwaters. We do not support the references to the future updates of the lists of substances in the directives.

**Pesticides:** We can support the compromise text with a EQS for a sum of the pesticides already existing on the list of priority substances. We do not support the reference to the future and list of substances to be consider adding in the next review.

**PFAS:** We can support the Presidency proposal to add a subset of PFAS-compounds. Total EQS-values are challenging in many ways in the implementation.

# SWEDEN

- Please note the comments also in the annexes

# REVISED PRESIDENCY STEERING NOTE

## AFTER THE WORKING PARTY ON THE ENVIRONMENT (WPE) – 2 June 2025 (pm)

## PRIORITY SUBSTANCES IN WATER DIRECTIVE 2022/0344(COD)

1. **Monitoring cluster:**

| | |
|---|---|
| **Effect based Monitoring** | **21, 305-307** |

2. **Horizontal issues:**

| | |
|---|---|
| **Definitions** | **52, 57a, 59** |
| **GW ecosystems / ecological status of GW and Areas of special concern and high ecological values** | **67a-b, 149a, 154a-b, 176, 195b-g** |
| **Non – deterioration clause & exemptions** | *57b*, 63a-d, 65c-e, **67c-u** |
| **Access to justice** | **106d – 106k** |
| **Extended producer responsibility** | **195h–j, 195q, 329a-c, 329j** |

3. **Substances cluster:**

| | |
|---|---|
| **Synthetic substances (Repository)** | **GWD, Annex II, part D,** |
| **Deselection of substances** | **EQSD, Annex I and II** |
| **Pharmaceuticals** | **18, 18a-h, 21, 211c, 212a, 292a-b** |
| **Pesticides** | |
| **Bisphenols** | |
| **PFAS** | |

4. **Reporting cluster:**

| | |
|---|---|
| **IED and energy transition related reporting** | **179a, 253-254, 257-261, 321a** |

1. **Monitoring cluster:**

For the **monitoring** cluster, one issue was discussed and prepared as a compromise proposal, namely the **Effect based monitoring**. The Presidency propose to make concession towards the Parliament in this regard and accept the mandatory EBM in order to allow the Commission to collect sufficient data, but at the same time to introduce several safeguards, including: guaranteeing necessary time for the preparations and the exclusion of data collected by this method during the 2 years period from the assessment of status at the end of the 6 years cycle during which this 2 years monitoring will take place. In addition the follow up clause was added. (See annex 1).

- **Comment from SE:** WE can accept that effect-based monitoring will be mandatory as we consider it to be a prerequisite for generating an appropriate result. The wording in recital (11) needs to be reviewed (please see comment below – recital 11).

2. **Horizontal issues:**

a) A package on **definitions** is proposed (see annex 2).

**Comment from SE:** We do not have any objections to the proposed changes.

b) **GW ecosystems** (ecological status of GW and Areas of special concern and high ecological values).

Presidency proposes a compromise based on the Council mandate, tasking the Commission to develop methodology to assess the presence of groundwater ecosystems, adding a precision that such ecosystems should be looked for in the areas where their presence can be expected. Once found, a stricter standards should be applied for their protection. Presidency compromise text (see annex 3) **does not** include Parliament's request that the **stricter standards should be a multiplication by 10**. The Presidency would, however, appreciate to hear the Member States position on this particular issue as the guidance for further negotiations, as it is an important element for the Parliament.

**Comment from SE:** The knowledge within the area of GW ecosystems and stygofauna is still quite limited and an area subject for research. To our knowledge there are no known considerable issues or risks concerning specific effects on GW organisms/ecosystems. More research is needed to develop methodologies to monitor and assess the status and risks for these ecosystems. As of now, this would be a very difficult, resource-demanding, and expensive task for the member states. Thus, it would be too early to include GW ecosystems in the legislation as it may entail large costs in relation to the benefit. This is a red line for SE.

**c) Non – deterioration clause & exemptions**

The compromise proposal is based on the Council mandate, however several additional safeguards have been added (see annex 4). The Presidency is still working on adding additional precisions to the text, at the request of the Parliament.

**Comment from SE:** Further precisions of the text will facilitate its implementation.

**d) Access to justice**

The Presidency suggests some flexibility towards the Parliament on the access to justice provision, as a part of the compromise package and depending on the outcome of negotiations on other elements in this package. The Presidency, however, maintains its position, that it is a horizontal issue and should be therefore maximally harmonised with existing law.
In the compromise proposal we suggest therefore, to base the provisions in this Directive on already adopted provisions included in the Urban water waste treatment Directive (see **updated version** in annex 5).

**Comment from SE**: We are open to discuss ref to Access to Justice in a recital. In that case it should be similar to the wording in other related directives

**e) Extended producer responsibility**

The Presidency suggests some flexibility towards the Parliament on the Extended producers responsibility and to include a part of the Parliament's amendment to the final compromise text, tasking the Commission to assess the feasibility of including the EPR mechanism to this Directive and to prepare a report on that issue (see annex 6).

**Comment from SE**: We do not object to that COM prepare a report on this issue. However, we remain sceptical about introducing producer responsibility within the framework of this directive.

**3. Substances cluster:**

**a) Synthetic substances (Repository)**

Several changes, including an addition of footnote, have been made to the annex II parts B & D of the Groundwater Directive (see annex 7). The content of the table is not a part of the pre-agreed text at the technical level and should be discussed separately.

**b) Deselection of substances** (please see annex 8)

After the exchange on technical level, it is proposed to keep as deselected substances nr 31 (Trichlorobenzene) but to reinsert:

- Atrazine (4) – **change to the steering note at the Commission's request**
- Benzene (5) – as it is a genotoxic carcinogen, still in widespread use.
- Cyclodiene pesticides (9A) – Covered by Stockholm Convention on POPs.
- DDT and para-para DDT (9b) - Covered by Stockholm Convention on POPs.
- 1,2 Dichloroethane (10) - as it is carcinogenic, there is no safe threshold, and substance is still in use. It is problematic for drinking water.
- Dichloromethane (11) - As it is carcinogenic and still in use, and still causing failures.
- Isoproturon (19) - Still causing several failures; need to be sure that downward trend occurs following EU non-renewal, in case of illegal use/emergency use.

**Comment from SE**: The data we have does not indicate that these substances pose a risk in Swedish water, but we do not object if they are assessed to pose a risk at the EU level, which in that case justifies the substances remaining in Annex I.

**c) Pharmaceuticals**

Pharmaceutical substances for both surface- and ground waters are part of the compromise **proposal of total/sums**.

In **groundwater**, the cumulative risk from pharmaceuticals should be addressed by setting a quality standard **for the sum of a larger number of selected pharmaceuticals** identified during that watch-list monitoring. The sum shall apply to the sum of the following active substances: *carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone and iopamidol*. **The QS for sum of pharmaceuticals** is still to be discussed, but in the recent Commission's compromise proposal it is suggested to be **2,5,** as it is proposed by the Council for the **individual pharmaceutical active substances** in annex II part D.

In **surface water**, estrogenic pharmaceuticals should be addressed by effect-based monitoring. The Commission should also **consider setting standards for the sum(s) of selected pharmaceuticals, preferably based on mode of action, at the next review.** The compromise foresees therefore **a placeholder for this sum in Annex III** to the Directive 2008/105/EC that is to be re-established.

For the future review, the Commission shall also asses the **possibility to set a standard for the pharmaceutical total for the surface and ground water,** supported by an appropriate monitoring method.

**Comment from SE**: We need further clarifications concerning pharmaceuticals in GW (please also see comments in Annex 7 page 27 and GW annex I).

- How has the harmonized threshold value for individual pharmaceuticals **in GW** been motivated (page 27)? **QS for individual of pharmaceuticals** does not seem to suit in especially well in Annex II part D, even if the footnote state that "Member States shall apply this threshold value unless a stricter standard or threshold value has been specifically set for the substance concerned at Union or national level ". As seen in Annex I pharmaceuticals apparently may need lower QS, e.g. sulfamethoxazole at 0,1 ug/l. This is probably also valid for many other antibiotics.

- We do not understand why carbamazepine and primidone are included as separate parameters with the QS 2,5 ug/l when they are also included in "the sum of (8) pharmaceutical active substances" with the same QS of 2,5 ug/l (please see further in comment on page 32)? **SE proposes that** if the "Sum of

specific pharmaceuticals" parameter is included in Annex I with a QS of 2,5 ug/l (that also includes carbamazepine and primidone), these substances (carbamazepine and primidone) are removed as separate parameters in Annex I. Otherwise carbamazepine and primidone should have more stringent, QS than 2,5 ug/l.

- How where the sum of 8 parmaceutical substances selected? It does not seem like they were chosen directly from the watch list report on pharmaceuticals in groundwater (Voluntary Groundwater Watch List (Endorsed V3.1 - June 2019).pdf) (please see comment on page 32).

We do not see these comments as red lines but inconsistencies that needs to be clarified.

**d) Pesticides**

Pesticides are part of the compromise **proposal of total/sums**.

To try address the cumulative risk in the **EQSD**, as the total pesticides attempts to do so in the GWD, an **EQS should be set for the sum of the pesticides** that are already included in the list of priority substances to be monitored in water, and that EQS should be taken into account when assessing chemical status. To take better account of mixture risk in the future, the Commission will consider setting standards for the sum(s) of a larger selection of selected pesticides than those currently included in Annex I, preferably based on mode of action, at the next review; for this reason **'sum(s) of selected pesticides by mode of action'** should be **added to Annex III** to Directive 2008/105/EC. For the next review, the Commission will also consider setting a total pesticides EQS in surface waters, supported by an appropriate monitoring method.

Another issue concerning the pesticides is the request for the Commission to establish **a list of non-relevant metabolites of pesticides** for the Groundwater Directive. The Presidency asks Member states to show some flexibility regarding this issue in terms of deadline put on the Commission in the Council mandate, as the deadline of 6 months has been considered as non-feasible given the need to take into account also the coherence with pesticides and drinking water legislation.

**Comment from SE:** We agree to select sum(s) of pesticides by mode of action. But the proposed EQS for sum of pesticides (annex 8) are not based on ecotoxicological data and not on the same mode of action since the group consists of herbicides, insecticides, etc. Thus, SE do not support proposed EQS but would like to see a proposal grouping only substances with the same mode of action.

We do not object to extend the DL for COM to establish a list of non-relevant metabolites.

**e) PFAS**

PFAS are part of the compromise **proposal of total/sums**.

**A subset of specific PFAS should be added** to the list of groundwater pollutants and to the list of priority substances in surface waters. Member States are **encouraged to monitor PFAS Total in groundwater and surface water** using the guidance adopted under the DWD (2020/2184). The Commission shall consider establishing quality standards for **PFAS Total in surface waters and groundwater at the next review** and aim to **complement the guidance on monitoring PFAS Total in drinking water** to make it applicable to monitoring PFAS Total in GW and SW.

**Comment from SE:** Regarding PFAS in EQSD:
Referring to SCHEER's recent report (April 2025), we support SCHEER recommendation that additional PFAS-substances are added as soon as reliable toxicological data become available to ensure that limit values represent the latest scientific knowledge in line with the purpose of the directives, i.e. to protect human health and the environment.

The available risk-based toxicological data for TFA is currently being reviewed by Efsa that will propose a reference value for TFA in the near future., Thus, have concerns regarding lack of coordination between the different risk evaluations currently conducted by European authorities, e.g. Efsas ongoing review of the health-based reference values for trifluoroacetic acid (TFA).

Regarding PFAS in GWD: There is a difference in the handling of QS based on protection of human health via drinking water for surface water and groundwater. In the GWD, PFAS4 (4,4 ng/l) and TFA (2200 ng/l) are proposed, while PFAS25 (4,4 ng/l expressed as PFOA-eq using RPF) is proposed for surface water in the EQSD. These values are all derived from the EFSA tolerable intake, and the RPF methodology is used for both PFAS25 and for the derivation of the TFA QS for groundwater.
Why are the PFAS QS based on protection of human health via drinking water not aligned between groundwater and surface water, i.e. using the same PFAS compounds/parameters and QS (if the drinking water value at all should be included for surface water, considering that it is less protective than the biota-QS).
.

**f) Bisphenols**

Bisphenols are part of the compromise **proposal of total/sums**.

Bisphenol-A should be added to the list of substances in Annex I to Directive 2008/105/EC and designated as a priority hazardous substance. The Commission should review the listing of bisphenols in general at the next review, **and consider to establish an EQS for 'Bisphenols Total' or at least for the 'Sum of Bisphenols',** including at least Bisphenol-

B and Bisphenol-S. **The 'Sum of Bisphenols' should be therefore listed in Annex III** to Directive 2008/105/EC. Furthermore, Member States should give particular consideration whether **to identify and monitor at least Bisphenol B and Bisphenol S as river basin specific pollutants**, where potentially relevant, and to report the data in line with Article 8(4) of Directive 2000/60/EC to ensure that the risk from the sum of those bisphenols and Bisphenol A can be properly assessed at the next review. During the next review, the Commission should also consider listing Bisphenols in GWD, including as a sum and/or total. For both ground and surface waters, it should be supported by an appropriate monitoring method.

**g) Summary of the Total/ Sum compromise proposal:**

The main element of the proposed compromise is the **re-establishment of Annex III to the EQSD** as a "holding place" for substances which should be considered for inclusion in the priority substances list at the next review. Annex to the EQSD would include:

- **'sum of bisphenols'**,
- **'sum(s) of selected pesticides by mode of action',**
- **'sum(s) of selected pharmaceuticals by mode of action'**.

Other elements of the compromise, as described above in points 3 c-f, consist of including sums (pharmaceuticals for GW), pesticides for SW and PFAS for both GW and SW **already during the current revision.**

There is also an encouragement for MS to use PFAS total methodology following the guidance published for the Drinking Water Directive and to consider monitoring Bisphenol B and S as River Basin Specific Pollutants.

The compromise consist as well of strong encouragement for the Commission to consider **adding "total" standards** for PFAS, Bisphenols, pesticides and pharmaceuticals, as well as the sum of Bisphenols for GW **during the next review**, supported by appropriate monitoring methods.

For the total/sum compromise proposal, please refer **to annex 9.**

h) **Several changes have been proposed to the annex I of EQSD, Including:**

- division of SW/FW for biota**,**
- footnote 33,
- AA- EQS / MAC - EQS

**(**Please see annex 8)

5. **Reporting cluster:**

A compromise proposal on inventories has been proposed. It is in large part based on the Council mandate. Please see **annex 10**.

## ANNEX 1 (Effect based monitoring)

| row | COM | EP | Council | Compromise proposal |
|---|---|---|---|---|
| Recital 11 | | | | |
| 21 | (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. | (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 2008/105/EC. That comparison ~~will be used to assess~~***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 | (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 **are encouraged to** ~~should~~ apply such methods **on a voluntary basis** 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 **and could also replace substance-by-substance monitoring. The concept of effect based trigger values should be defined.** ~~The definition of EQS~~ in Directive 2000/60/EC **and the** | ***The conventional chemical analytical methods used for monitoring substances under this Directive cannot, in general, determine cumulative (or mixture) risk.*** 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. ***The Commission should publish a report on*** ~~T~~that comparison and an analysis of ~~will be used to assess~~ whether effect-based monitoring methods ***deliver data robust and accurate enough to allow them to*** ~~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 |

**Commented [PW1]:** This statement is wrong. Chemicalanalytical methods describe a concentration in the water. Risk can be established first when the measured concentration is compared to a limt value such as EQS or PNEC. Wheter or not the limitvalue (EQS) is derived to include cumulative/mixture risk then decides the possibility to determine cumulativ (or mixture) risk.

| | | | | |
|---|---|---|---|---|
| | | 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. | **definition of good chemical status** 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. | those listed in Annex I to Directive 2008/105/EC, ***and could also replace substance-by-substance monitoring at many locations. The concept of effect based trigger values should be defined***~~.. The definition of EQS~~ in Directive 2000/60/EC ***and the definition of good chemical status*** 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. |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3) | | | | |
| 305 | 3. Member States shall, from … [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive], for a period of two years, monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods. They shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones 7-Beta estradiol (E2), Estrone (E1) and Alpha-Ethinyl estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical | 3. Member States shall, from … [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive], for a period of two years, monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods. They shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones 7-Beta estradiol (E2), Estrone (E1) and Alpha-Ethinyl estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical | 3. Member States **may, , from**~~-shall, from … [OP please insert the date =~~ the first day of the month following 18 months after the~~-date of entry into force of this Directive]~~ **publication of the technical guidelines referred to in paragraph 4** , for a period of two years, monitor the presence of estrogenic substances**–** in water bodies, using effect-based monitoring methods. **Where Member States decide to do so,** they shall conduct the monitoring at least four times during each of the two years at locations where the three estrogenic hormones ~~7~~**17**-Beta estradiol (E2), Estrone (E1) and **17-a lpha-** | Member States shall, over a period of two years from 1 January 2030, ~~and~~ providing that ~~the~~ ***~~publication of~~ the technical guidelines referred to in paragraph 4 have been published at least 18 months before this date***, monitor the presence of estrogenic substances in water bodies, using effect-based monitoring methods as explained in the guidelines. The sampling and analysis need not commence at the start of that two-year period, but<br><br>shall be conducted at least four times during each year. Member States shall conduct the monitoring at ~~locations a~~ |

| | | | | |
|---|---|---|---|---|
| | methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive. Member States may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. | methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive. Member States may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. | **ethinyl** ~~Alpha Ethinyl~~ estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that Directive~~. Member States may use the network of monitoring~~ **and select a number of** sites ~~identified for the surveillance monitoring of~~ **in** representative surface water bodies in ~~accordance with point 1.3.1 of Annex V to Directive 2000/60/EC.~~ **order to obtain comparative results at a range of concentrations.** | ***selection of the sites*** where the three estrogenic hormones ***1***7-~~*8b*~~eta estradiol (E2), Estrone (E1) and ***17-A***~~a~~lpha-~~E~~~~e~~thinyl-estradiol (EE2) listed in Part A to Annex I to this Directive, are being monitored using conventional analytical methods in accordance with Article 8 of Directive 2000/60/EC and Annex V to that ***Directive in order to obtain comparative results at range of concentrations, and report the data together and in line with Article 8(4) of Directive 2000/60/EC.-The number of sites shall be no less than that specified in paragraph 3 of Article 8b of this Directive for monitoring substances on the watch list.*** ~~Member States, may use the network of monitoring sites identified for the surveillance monitoring of representative surface water bodies in accordance with point 1.3.1 of Annex V to Directive 2000/60/EC. Where possible,~~ Member States may start the monitoring ~~period~~ before the indicated date as long as the technical guidelines have been published. |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3a) | | | | |
| 305 a | | | **4. The Commission shall by [OP please insert the date = the first day of the month following 12 months after the date of entry into force of this Directive] adopt technical guidelines regarding methods for chemical analysis of the** | ***4. The Commission shall by [OP please insert the date = the first day of the month following 18 months after the date of entry into force of this Directive] publish technical guidelines for the*** |

| | | | | |
|---|---|---|---|---|
| | | | **estrogenic substances and regarding effect-based monitoring methods, interpretation and assessment of the results and trigger values as defined in Article 2 (35b) of Directive 2000/60/EC.";** | ***monitoring of estrogenic substances using effect-based monitoring methods.*** |
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3b), first and second subparagraphs | | | | |
| 305 b | | ***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.*** | | ***The Commission shall, within 18 months of the data being reported by the Member States, publish a report comparing the results from the conventional analytical and the effect-based methods and analyse the possibility of using effect-based monitoring methods in conjunction with an effect-based trigger value for estrogens as defined in Article 2(35b) of Directive 2000/60/EC for screening purposes to support the assessment of chemical status .***<br>***However, Member States ~~S~~ shall not use the effect-based results from the two-year comparative monitoring period referred to in paragraph 3 for the purpose of classifying the chemical status of the monitored water bodies, as described in point 1.4.3 of Annex V to Directive 2000/60/EC, at the end of that period.*** |

| | | | | |
|---|---|---|---|---|
| Article 3, first paragraph, point (6), amending provision, numbered paragraph (3b), third subparagraph | | | | |
| 305 c | | ***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.*** , | , | ***Taking into account the analysis in the report referred to in the first subparagraph, the Commission shall consider setting a trigger value for estrogens for screening purposes and for the assessment of chemical status. Once effect-based methods are ready to use also for other substances, the Commission shall consider requiring Member States to use them, if necessary at least initially in parallel with conventional analytical methods, and consider setting corresponding trigger values.*** |
| Article 3, first paragraph, point (6), amending provision, sixth paragraph | | | | |
| 306 | * Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE), OJ L 108, 25.4.2007, p. 1). | *deleted* | *deleted* | |
| *Article 3, first paragraph, point (6), amending provision, seventh paragraph* | | | | |
| *307* | ** Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information, OJ L 172, 26.6.2019, p. 56).; , | *deleted* | *deleted* | |

**ANNEX 2 (Definitions)**

**Description of the compromise**: accept the suggestion from Council to add a definition for Effect Based Trigger Values; which then triggers the need to change the definition of good chemical status accordingly

- Revert back to existing definition of EQS in Art 2(35) WFD (slightly reformulated language but content is the same).
- Add the new definition for Effect based Trigger Values proposed by Council;
- Change definition of good chemical status accordingly, i.e. referring to both EQS and EBTV, but the latter only where '**available**', i.e. where verifiable on the basis of a scientifically validated effect-based monitoring method;
- Small change to EC proposal in Art 2(24) to take out the reference to Art 8(2), point (c ) (this was an error); and replace it with Art 8d(1), which refers to MS setting and implementing EQS for all RBSPs of concern in their country
- Take out the reference proposed by Council to Art 16(4a) of WFD: irrespective of the final decision on keeping Art 16 or not, it seems more appropriate in any case to refer to Art 8d(1) EQSD which relates to MS setting and implementing EQS for their RBSPs;

TEXT PROPOSAL

Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the **following: the** environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* ~~and~~**,** the environmental quality standards for river basin specific pollutants set and applied in accordance with Article ~~8(2), point (c), and~~ **16 (4a) of this Directive or** ~~or~~ Article 8d(1)~~aand nd 8d(2)~~of ~~that~~ **of** Directive **2008/105/EC, and** ~~**if available, standardised**~~ **effect-based trigger values, where available.**

Art 2 (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.

Art 2 (35b) 'Effect-based trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically **validated** effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur.

| EC proposal | EP | Council | Comments - Compromise |
|---|---|---|---|
| Art 2 (24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* and the environmental quality standards for river basin specific pollutants set in accordance with Article 8(2), point (c), and Article 8d(1) of that Directive. | unchanged | Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the **following: the** environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council* ~~and~~**,** the environmental quality standards for river basin specific pollutants set in accordance with Article ~~8(2), point (c), and~~ **16 (4a) of this Directive or** Article 8d(1) of ~~that~~ Directive **2008/105/EC, and if available, standardised effect based trigger values**. **';** | *Art 2(24) 'Good surface water chemical status' means the chemical status required to meet the environmental objectives for surface waters set out in Article 4(1), point (a), of this Directive, that is the chemical status achieved by a body of surface water in which concentrations of pollutants do not exceed the* ***following: the*** *environmental quality standards for priority substances listed in Part A of Annex I to Directive 2008/105/EC of the European Parliament and of the Council** ~~***and,***~~ *the environmental quality standards for river basin specific pollutants set and applied in accordance with Article ~~8(2), point (c), and~~* ~~***16 (4a) of this Directive or***~~ *or Article 8d(1)* ~~***aand nd 8d(2)***~~*of ~~that~~* ***of*** *Directive* ***2008/105/EC, and if available, standardised*** ***effect-based trigger values, where available.';*** |
| Art 2 (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.'; | Art 2(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.' | *deleted* | *Art 2 (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.* |
| | | Art 2 (35b)'Effect-based Trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically **validated** effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur. | *Art 2 (35b)'Effect-based Trigger value' means a threshold for the effects of a pollutant or group of pollutants in water, sediment or biota, where those effects are measured by an appropriate and scientifically* ***validated*** *effect-based monitoring method, above which adverse effects on human health or the environment from that pollutant or group of pollutants in water, sediment or biota, could occur.* |

**ANNEX 3 (Ground water ecosystems – Presidency compromise proposal):**

| | ORG Directive text | EP Proposal | Council proposal | COMPROMISE PROPOSAL |
|---|---|---|---|---|
| Recital | (20)<br>Research should be conducted in order to provide better criteria for ensuring groundwater ecosystem quality and protection. Where necessary, the findings obtained should be taken into account when implementing or revising this Directive. Such research, as well as dissemination of knowledge, experience and research findings, needs to be encouraged and funded. | | (new 8c)<br>**Pharmaceutical active substances are of great concern for ecosystems. Groundwater quality standards for pharmaceuticals should therefore be aligned, for the substances most frequently encountered in groundwater bodies, with the values adopted or proposed as environmental quality standards to be achieved in surface waters. This should ensure the protection of associated aquatic ecosystems and dependent terrestrial ecosystems. Stricter standards are needed to protect sensitive groundwater ecosystems. Member States should work with the Commission under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying such ecosystems. As soon as a reliable method is available, Member States should, where relevant, apply that method.**<br>**If a Member State identifies the presence of such** | **(20 - redrafted)**<br>**There is a need to gather more knowledge about the presence, importance and sensitivity of groundwater ecosystems in order to properly protect them.**<br>**Additional scientific research should therefore be encouraged, funded and conducted, and the findings should be disseminated, and,** where necessary, taken into account, along with existing knowledge, when ~~**implementing and**~~ revising this Directive.<br><br>**<u>The Commission should work with Member States under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying groundwater ecosystems.</u>**<br><br>**<u>As soon as a reliable methodology is available, Member States should, where relevant, apply that methodology, and set stricter standards where necessary to</u>** |

**Commented [PW2]:** We can support building a knowledge base on groundwater ecosystems in the coming years, but that national assessments in all groundwater bodies should not be done before the next revision of the directive.

| | | | | |
|---|---|---|---|---|
| | | | **ecosystems, it should set stricter quality standards or threshold values accordingly, unless the standard has been set to protect human health and is already sufficiently strict to protect the sensitive ecosystems.** | **protect those ecosystems** |
| Annex I point 3 | Where, for a given body of groundwater, it is considered that the groundwater quality standards could result in 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 diminution of the ecological or chemical quality of such bodies, or in any significant damage to terrestrial ecosystems which depend directly on the body of groundwater, more stringent threshold values will be established in accordance with Article 3 and Annex II to this Directive. Programmes and measures required in relation to such a threshold value will also apply to activities falling within the scope of Directive 91/676/EEC. | 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 | *No changes* | Where, for a given body of groundwater, it is considered that the groundwater quality standards could result in 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 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.** Provided that a **reliable methodology is available to assess the presence of groundwater ecosystems, more stringent quality standards shall also be established for groundwater bodies where such ecosystems are present, unless the standards have been** |

| | | | | |
|---|---|---|---|---|
| | | scope of Directive 91/676/EEC. | | **set to protect human health and are already sufficiently strict to protect those ecosystems.** |
| Footnote Annex I | COM COMPROMISE PROPOSAL<br><br>When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and set, if such ecosystems are present, a 10-times stricter threshold value for this substance in order to preserve these ecosystems, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for an intermediate or even stricter value." | | Council mandate<br><br>**When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and set, if necessary following a risk assessment, a stricter threshold value for this product in line with article 3 (1b) - in order to preserve these ecosystems**. | When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in ~~their~~ groundwater bodies **whose characteristics could support their existence and set, if such ecosystems are present, and** in line with Article 3 (1)(b) ~~**if necessary following a risk assessment, a 10-times stricter threshold value for this substance in order to that is adequate**~~ to protect those ecosystems~~, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for an intermediate or even stricter value~~. |
| Footnote annex II (part D) | COM COMPROMISE PROPOSAL<br><br>Wherever an individual pharmaceutical active substance poses a risk to one or more groundwater bodies in a Member State, that Member State shall apply this threshold value unless a stricter standard or threshold value applies at Union | | Council mandate<br><br>**Member States shall apply this threshold value unless a stricter standard or threshold value has been specifically set for the substance concerned at Union or national level. When a reliable** | Member States shall apply this threshold value unless a ~~stricter~~ standard or threshold value has been specifically set for the substance concerned at Union or national level for either |

| | | | | |
|---|---|---|---|---|
| | or Member State level, for either surface or groundwater.<br>When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in their groundwater bodies and, if such ecosystems are present, set a threshold value of 0.25 µg/l or a value 10 times stricter than the corresponding surface or groundwater standard or threshold value, where applicable, in order to preserve these ecosystems, unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for a different value, | | **methodology is available, Member States shall assess, the presence of groundwater ecosystems in their groundwater bodies and set, if necessary following a risk assessment, a stricter threshold value for this product in line with article 3 (1b) - in order to preserve these ecosystems.** | surface or groundwater.<br><br>When a reliable methodology is available, **Member States shall assess the presence of groundwater ecosystems in ~~their~~ groundwater bodies whose characteristics could support their existence and set, if such ecosystems are present,** and in line with Article 3 (1)(b), ~~if necessary following a risk assessment,~~ **a stricter** ~~threshold value of 0.25 µg/l or a value 10 times stricter than the corresponding surface or groundwater standard or~~ **threshold value,** ~~where applicable, in order~~ if **necessary to protect those ecosystems**~~,~~ ~~unless consideration of available and relevant ecotoxicity data provides a sound scientific basis for a different value~~. |

## ANNEX 4 (Non-deterioration)

**Preambule 14 d is amended as follows (highlighted in blue proposed changes to the Council mandate)**

(14d) The judgements of the Court of Justice of the European Union, combined with additions to the lists of substances as well as stricter standards for existing pollutants, have highlighted the difficulty for Member States of complying with the non-deterioration objective of Directive 2000/60/EC, may hamper the implementation of certain activities and entail a considerable administrative burden for Member States. This is especially the case if short-term effects of activities occur or if pollutants are relocated within or between waterbodies without however causing an overall increase in pollution. As a result of the relocation, the pollution in the source-water body might be reduced and the pollution in the receiving water body might increase whilst the overall pollution mass balance is null. When relocating groundwater or sediment containing ubiquitous PTB substances, other substances present are also relocated. It is therefore not possible to focus solely on uPBT substances. As far as possible, remediation measures should be taken to mitigate the adverse effects. Activities such as discharge of PFAS contaminated drainage water from construction works or the displacement of dredged sediments for flood safety or navigation should be allowed, provided the necessary and proportionate safeguards are in place and their compliance can be verified so as to avoid a lowering of the level of ambition of the Directive 2000/60/EC. Activities like dumping of contaminants into the water body, including sewage sludge, should not be allowed**.**

**Preambule 28a is amended as follows:**

**(28a) Member States experts should be involved in the regular cooperation facilitated by the Common Implementation Strategy for Directive 2000/60/EC and in particular in the working groups established under it, and thus closely involved especially in the revision of the watch lists, the updates of the lists of pollutants, ~~and~~ the establishment of the reporting formats and the exchange on good practices on the application of exemptions.**

**Article 4.7.a is amended as follows (highlighted in blue proposed changes to the Council mandate):**

**"7a.** Member States will not be in breach of this Directive if any negative short-term impacts on ~~one or more quality elements~~ the chemical status of a water body or water bodies caused by a new project or a modification to an existing project in that or those water bodies is no longer detectable after one year, ~~or maximum three years for the biological quality elements~~, beyond initiation of the execution of the project,

and all the following conditions are met:

a) the negative impacts are not the result of direct discharges, emissions or losses of a pollutant;

b) there are no ~~significantly~~ better environmental options for reasons of technical feasibility or disproportionate cost;

c) all practicable ~~measures~~ steps are taken to mitigate the negative impacts on the status of the water body or water bodies;

d) the potential impacts are assessed ex ante, on the basis of scientific evidence and ~~on this basis~~ it is concluded that there will be no negative impact for the concerned

water body beyond one year~~, or beyond maximum three years for the biological quality elements;~~

e) ex post verification is carried out;

f) a summary of the main activities carried out in line with the provisions of this paragraph and the measures taken to mitigate negative impacts is included in the river basin management plans required under Article 13 of this Directive.

**Article 4.7.b is amended as follows (highlighted in blue proposed changes to the Council mandate):**

"7b. Member States will not be in breach of this Directive when deterioration occurs in the status of a surface water body as a result of relocating water or sediment by human activity within or between surface water bodies, or from a groundwater body to a surface water body, without causing a net increase in pollution, and all the following conditions are met:

a) all ~~practicable measures~~ steps~~, including~~ in particular the treatment of the water or sediment if ~~relevant and~~ feasible~~,~~ are taken to mitigate adverse impacts on the status of the water body or water bodies;

b) the composition of the relocated water or sediments is established, and the relocation does not ~~significantly~~ increase the overall risk to human health and the environment compared to the existing risk prior to the relocation;

*c)* the receiving water body is confirmed as already not being in a good ecological status or potential, neither in good chemical status ~~[~~with respect to a large proportion of the pollutants relocated~~]~~ and the ecological status or potential of the reciving water body ~~cannot be classified~~ is not expected to fall into a lower class as a result of the relocation of those pollutants;

d) bodies of water identified for the abstraction of water intended for human consumption, as well as those bodies of water intended for such future use, as referred to in Article 7(1), are excluded from this exemption;

e) the details, including the reasons, for the relocation are set out and explained in the river basin management plan required under Article 13;

f) there are no ~~significantly~~ better environmental options for reasons of technical feasibility or disproportionate cost;

g) the relocation is subject to prior regulation or authorisation.";

**ANNEX 5 (Access to justice): [updated]**

| | ***EP amendment*** | Compromise proposal |
|---|---|---|
| 41c | ***(31c) As confirmed by the case law of the CJEU[1], 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.***<br><br>***1. 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.*** | **(31 c)** Directive 2003/4/EC of the European Parliament and of the Council is aimed at guaranteeing the right of access to environmental information in the Member States in line with the 1998 Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters ('Aarhus Convention'). The Aarhus Convention encompasses broad obligations related both to making environmental information available upon request and actively disseminating such information. Directive 2007/2/EC of the European Parliament and of the Council is also of broad scope, covering the sharing of spatial information, including data sets on different environmental topics. It is important that provisions of this Directive related to access to information and data-sharing arrangements complement those Directives and do not create a separate legal regime. Therefore, the provisions of this Directive regarding information to the public and information on monitoring of implementation should be without prejudice to Directives 2003/4/EC and 2007/2/EC.<br><br>(31d) According to settled case law of the Court of Justice, it is for the courts of the Member States to ensure judicial protection of a person's rights under Union law. Furthermore, Article 19(1) TEU requires Member States to provide remedies sufficient to ensure effective judicial protection in the fields covered by Union law. In this respect, Member States should ensure that the public, including natural or legal persons submitting substantiated concerns in accordance with Article 29, is ensured access to justice in line with the obligations Member States have undertaken as parties to the Aarhus Convention.<br><br>This should be done in accordance with national rules, without depriving the provision on compensation of its effectiveness. In addition, in accordance with the Aarhus Convention, members of the public concerned are to have access to justice in order to contribute to the protection of the right to live in an environment which is adequate for personal health and well-being. |

| | | |
|---|---|---|
| 106d | *(9b) The following Article is inserted :* | *(9b) The following Article is inserted :* |
| 106e | *Article 14a*<br>‘<br>*Access to justice* | *Article 14a*<br>‘<br>*Access to justice* |
| 106f - k | *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:*<br><br>*(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;*<br><br>*(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).*<br><br>*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.*<br><br>*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.* | 1. Member States shall ensure that, in accordance with the relevant national legal system, members of the public concerned 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 decisions, acts or omissions subject to Article 4, 11 and Article 13(1) of this Directive, where at least one of the following conditions is met:<br>(a) they have a sufficient interest;<br>(b) they maintain the impairment of a right, where administrative procedural law of a Member State requires this as a precondition.<br>2. Member States shall determine what constitutes a sufficient interest and impairment of a right, consistently with the objective of giving the public concerned wide access to justice. To this end, the interest of any non-governmental organisation promoting environmental protection and meeting any requirements under national law shall be deemed sufficient for the purpose of paragraph 1(a). Such organisations shall also be deemed to have rights capable of being impaired for the purpose of paragraph 1(b).<br>3. Standing in the review procedure shall not be conditional on the role that the member of the public concerned played during a participatory phase of the decision-making procedures under this Directive.<br>4. Member States shall determine at what stage the decisions, acts or omissions referred to in paragraph 1 may be challenged.<br>5. The review procedure shall be fair, equitable, timely and not prohibitively expensive, and shall provide for adequate and effective redress mechanisms, including injunctive relief where appropriate.<br>6. Member States shall ensure that practical information is made available to the public on access to administrative and judicial review procedures referred to in this Article. |

| | | |
|---|---|---|
| | ***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."*** | |

**ANNEX 6 (Extended Producer's Responsibility):**

**Article 8 is amended as follows:**

the following paragraphs 4,5, 6 and **7** are added:

7**. The Commission shall by [36 months after the date of entry into force of this Directive], publish a report on possibility to include in this Directive an extended producer responsibility mechanism. The report shall evaluate in particular the feasibility of requiring producers that place on the EU market products containing any of the substances listed in Annexes I to Directives 2006/118/EC and 2008/105/EC to contribute to the costs of monitoring programmes designed under Article 8 of Directive 2000/60/EC.**

**ANNEX 7 (Synthetic substances):**

**TEXT PROPOSALS** [yellow text proposed by the Commission; in blue text from the Council]

- Article 3 is amended as follows:
- (a) in paragraph 1, first subparagraph, the following point (c) is added:

  '(c ) threshold values established at Union level ~~in accordance with Article 8(3)~~ and listed in Part D of annex II to this Directive'

  (b) paragraph 2 is replaced by the following:

  2. Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.

  **Threshold values referred to in paragraph 1, points (b) and (c), shall be applied at the level relevant to the occurrence of the pollutant.**

- Part B, point 2
  'Man-made synthetic substances
  [ Primidone ]
  Trichloroethylene
  Tetrachloroethylene'

- Part D - Repository of harmonised threshold values for **man-made synthetic substances** (*)of national, regional or local concern in groundwater

**(*) including synthetic substances with identical natural counterparts which may occur in groundwater, but where any natural background level is at most low.**

| Commission proposal | EP | Council | Compromise |
|---|---|---|---|
| Line 152 to 154<br>Article 3 is amended as follows:<br>in paragraph 1, first subparagraph, the following point (c) is added:<br>(c) threshold values established at Union level in accordance with Article 8(3) and listed in Part D of Annex II to this Directive.; | No changes proposed by EP | Article 3 is amended as follows:<br><br>in paragraph 1, first subparagraph, the following point (c) is added<br>(c) threshold values **for synthetic substances** established at Union level ~~in accordance with Article 8(3) and~~ listed in Part D of Annex II to this Directive~~.~~**'**; | Article 3 is amended as follows:<br><br>in paragraph 1, first subparagraph, the following point (c) is added<br><br>'(c ) threshold values ~~for synthetic substances~~ established at Union level ~~in accordance with Article 8(3)~~ and listed in Part D of Annex II to this Directive.' |

| | | | |
|---|---|---|---|
| Line 156<br><br>2. Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.; | No changes proposed | 2. Threshold values referred to in paragraph 1, ~~point (b)~~ **points (b) and (c)**, may be established **or applied, respectively,** at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.**'**; | Threshold values referred to in paragraph 1, point (b), may be established at the national level, at the level of the river basin district or the part of the international river basin district falling within the territory of a Member State, or at the level of a body or a group of bodies of groundwater.<br><br>**Threshold values referred to in paragraph 1, points (b) and (c), shall be applied at the level relevant to the occurrence of the pollutant** |
| Part B point 2 | No changes proposed | No changes proposed | 'Man-made synthetic substances<br>Primidone<br>Trichloroethylene<br>Tetrachloroethylene' |
| Part D<br>Repository of harmonised threshold values for groundwater pollutants of national, regional or local concern | | the following Part D is added:<br><br>'Part D<br><br>**Repository of harmonised threshold values for synthetic substances in groundwater ~~pollutants~~ of national, regional or local concern** | Compromise proposal:<br><br>Part D<br><br>Repository of harmonised threshold values for man-made **synthetic substances (*)**of national, regional or local concern in groundwater<br><br>**(*)** (*) including synthetic substances with identical natural counterparts which may occur in groundwater, but where any natural background level is at most low. |

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| [Entry] N° | Name of substance | Category of substances | CAS number(1) | EU number(2) | Threshold value [µg/l unless otherwise indicated] |
| ~~1~~ | ~~Trichloroethylene and Tetrachloroethylene (sum of two)~~ | ~~Industrial substances~~ | ~~79-01-6 and 127-18-4~~ | ~~201-167-4 and 204-825-9~~ | ~~10 (total)(3)~~ |
| | **Individual pharmaceutical active substances** (4) | **Pharmaceuticals** | | | 2,5 (5) |

**Commented [PW3]:** How has the harmonized threshold value for individual pharmaceuticals been motivated?

This parameter does not seem to suit in especially well in Annex II part D, even if "Member States shall apply this threshold value unless a stricter standard or threshold value has been specifically set for the substance concerned at Union or national level ".

In comparison with Annex I pharmaceuticals apparently may need lower QS, e.g. sulfamethoxazole at 0,1 ug/l, that is probably also valid for many other antibiotics.

**ANNEX 8 (Deselection) (NEW):**

EQSD - Annex I

Footnote 31 is proposed to be deleted

Footnote 33 is proposed to be reformulated

Substances: 3,4, 9a,9b, 10, 11, 19 **to be reinserted**

Sum of pesticided – added as part of the sum/ totals compromise proposal

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| [Entry] N° | Name of substance | Category of substances | CAS number (1) | EU number (2) | AA-EQS (3) Inland surface waters (4) [µg/l] | AA-EQS (3) Other surface waters [µg/l] | MAC-EQS (5) Inland surface waters (4) [µg/l] | MAC-EQS (5) Other surface waters [µg/l] | EQS Biota (6) [µg/kg wet weight] or EQS Sediment [µg /kg dry weight] where so indicated | Identified as a priority hazardous substance | Identified as an Ubiquitous Persistent, Bioaccumulative and Toxic (uPBT) substance | Identified as a substance that tends to accumulate in sediment and/or biota |
| (1) | The substance Alachlor has been moved to Part C of Annex II | | | | | | | | | | | |
| (2) | Anthracene | Industrial substances | 120-12-7 | 204-371-1 | ~~0,1~~0,1 | ~~0,1~~0,1 | 0,1 | 0,1 | | X | | X |
| **(3)** | **The substance Atrazine has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(4)** | **The substance Benzene has been moved to Part C of Annex II** | | | | | | | | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (5) | Brominated diphenylethers (33) | Industrial substances | not applicable | not applicable | | | 0,14 (7) | 0,014 (7) | 0,00028 (7) | X (8) | X | X |
| (6) | Cadmium and its compounds (depending on water hardness classes) (9) | Metals | 7440-43-9 | 231-152-8 | < 0,08 (Class 1)<br>0,08 (Class 2)<br>0,09 (Class 3)<br>0,15 (Class 4)<br>0,25 (Class 5) | 0,2 | < 0,45 (Class 1)<br>0,45 (Class 2)<br>0,6 (Class 3)<br>0,9 (Class 4)<br>1,5 (Class 5) | < 0,45 (Class 1)<br>0,45 (Class 2)<br>0,6 (Class 3)<br>0,9 (Class 4)<br>1,5 (Class 5) | | X | | X |
| (6a) | The substance Carbon tetrachloride has been moved to Part C of Annex II | | | | | | | | | | | |
| (7) | $C_{10-13}$ Chloroalkanes (10) | Industrial substances | 85535-84-8 | 287-476-5 | 0,4 | 0,4 | 1,4 | 1,4 | | X | | X |
| (8) | The substance Chlorfenvinphos has been moved to Part C of Annex II | | | | | | | | | | | |
| (9) | Chlorpyrifos (Chlorpyrifos-ethyl) | Organophosphate pesticides | 2921-88-2 | 220-864-4 | $4,6 \times 10^{-4}$ | $4,6 \times 10^{-5}$ | 0,0026 | $5,2 \times 10^{-4}$ | | X | ~~X~~ | X |
| **(9a)** | **The substance Cyclodiene pesticides has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(9b)** | **The substances DDT and para-para-DDT have been moved to Part C of Annex II** | | | | | | | | | | | |
| **(10)** | **The substance 1,2-Dichloroethane has been moved to Part C of Annex II** | | | | | | | | | | | |
| **(11)** | **The substance Dichloromethane has been moved to Part C of Annex II** | | | | | | | | | | | |
| (12) | Di(2-ethylhexyl)-phthalate (DEHP) | Industrial substances | 117-81-7 | 204-211-0 | 1,3 | 1,3 | not applicable | not applicable | | X | | X |
| (13) | Diuron | Pesticides – herbicides | 330-54-1 | 206-354-4 | 0,049 | 0,0049 | 0,27 | 0,054 | | | | |
| (14) | Endosulfan | Organochlorine pesticides | 115-29-7 | 204-079-4 | 0,005 | 0,0005 | 0,01 | 0,004 | | X | | |
| (15) | Fluoranthene | Industrial substances | 206-44-0 | 205-912-4 | $7,62 \times 10^{-4}$ | $7,62 \times 10^{-4}$ | 0,12 | 0,012 | 6,1 | X | X | X |
| (16) | Hexachlorobenzene | Organochlorine pesticides | 118-74-1 | 204-273-9 | | | 0,5 | 0,5 | ~~20~~ ~~1~~ **8** $_{fw\ fish}$ **(32)** **1** $_{sw\ fish}$ **(32)** | X | | X |
| (17) | Hexachlorobutadiene | Industrial substances | 87-68-3 | 201-765-5 | ~~$9 \times 10^{-4}$~~ $9.5 \times 10^{-4}$ (43) | $9.5 \times 10^{-4}$ | 0,6 | ~~0,6~~ **0,06** | 21 | X | | X |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (18) | Hexachlorocyclohexane | Pesticides - insecticides | 608-73-1 | 210-168-9 | 0,02 | 0,002 | 0,04 | 0,02 | | X | | X |
| **(19)** | **The substance Isoproturon has been moved to Part C of Annex II** | | | | | | | | | | | |
| (20) | Lead and its compounds | Metals | 7439-92-1 | 231-100-4 | ***1,2*** *(12)* | 1,3 | 14 | 14 | | X | | X |
| (21) | Mercury and its compounds | Metals | 7439-97-6 | 231-106-7 | | | 0,07 | 0,07 | ~~[10]~~ **11** ~~(13)~~ fw fish (32) 0,36 sw fish (32) | X | X | X |
| (22) | Naphthalene | Industrial substances | 91-20-3 | 202-049-5 | 2 | 2 | 130 | 130 | | | | |
| (23) | Nickel and its compounds | Metals | 7440-02-0 | 231-111-4 | 2 (12) | 3,1 | 8,2 | 8,2 | | | | |
| (24) | Nonylphenols (14) (4-Nonylphenol) | Industrial substances | 84852-15-3 | 284-325-5 | 0,037 | 0,0018 | 2,1 | 0,17 | | X | | |
| (25) | Octylphenols (15) ((4-(1,1',3,3'-tetramethylbutyl)-phenol)) | Industrial substances | 140-66-9 | 205-426-2 | 0,1 | 0,01 | not applicable | not applicable | | X | | |
| (26) | Pentachlorobenzene | Industrial substances | 608-93-5 | 210-172-0 | 0,007 | 0,0007 | not applicable | not applicable | | X | | X |
| (27) | Pentachlorophenol | Organochlorine pesticides | 87-86-5 | 201-778-6 | 0,4 | 0,4 | 1 | 1 | | X | | |
| (28) | Polyaromatic hydrocarbons (PAHs) (16) ~~(33)~~ | Combustion products | not applicable | not applicable | not applicable | not applicable | not applicable | not applicable | Sum of Benzo(a)pyrene equivalents ~~[~~0,~~6]~~ (17) | X | X | X |
| | Benzo(a)pyrene | | 50-32-8 | 200-028-5 | | | ~~0,27~~ **0,5** | ~~0,027~~ **0,05** | ~~[~~0,6~~]~~ | | | |
| | Benzo(b)fluoranthene | | 205-99-2 | ***205-911-9*** | | | 0,017 | 0,017 | ***see footnote 17*** | | | |
| | Benzo(k)fluoranthene | | 207-08-9 | ***205-916-6*** | | | 0,017 | 0,017 | ***see footnote 17*** | | | |
| | Benzo(g,h,i)perylene | | 191-24-2 | ***205-883-8*** | | | $8,2 \times 10^{-3}$ | $8,2 \times 10^{-4}$ | ***see footnote 17*** | | | |
| | Indeno(1,2,3-cd)pyrene | | 193-39-5 | ***205-893-2*** | | | ***not applicable*** | ***not applicable*** | ***see footnote 17*** | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Chrysene | | 218-01-9 | ***205-923-4*** | | | ***0,07*** | ***0,007*** | ***see footnote 17*** | | | |
| | Benzo(a)anthracene | | 56-55-3 | ***200-280-6*** | | | ***0,1*** | ***0,01*** | ***see footnote 17*** | | | |
| | Dibenz(a,h)anthracene | | 53-70-3 | ***200-181-8*** | | | ***0,014*** | ***0,0014*** | ***see footnote 17*** | | | |
| | **Fluoranthene** | | **206-44-0** | **205-912-4** | | | **0,12** | **0,012** | ***see footnote 17*** | | | |
| (29) | The Substance Simazine has been moved to Part C of Annex II | | | | | | | | | | | |
| (29a) | Tetrachloroethylene | Industrial substances | 127-18-4 | 204-825-9 | 10 | 10 | not applicable | not applicable | | | | |
| (29b) | Trichloroethylene | Industrial substances | 79-01-6 | 201-167-4 | 10 | 10 | not applicable | not applicable | | X | | |
| (30) | Tributyltin compounds ([18]) (***Tributyltin***-cation) | Biocides | 36643-28-4 | not applicable | 0,0002 | 0,0002 | 0,0015 | 0,0015 | ~~[1,3]~~ **1,6** ([19]) | X | X | X |
| **(31)** | **The substance Trichlorobenzenes has been moved to Part C of Annex II** | | | | | | | | | | | |
| (32) | Trichloromethane | Industrial substances | 67-66-3 | 200-663-8 | 2,5 | 2,5 | not applicable | not applicable | | | | |
| (33) | Trifluralin | Pesticides – herbicides | 1582-09-8 | 216-428-8 | 0,03 | 0,03 | not applicable | not applicable | | X | | |
| (34) | Dicofol | Organochlorine pesticides | 115-32-2 | 204-082-0 | ~~[~~$4{,}45 \times 10^{-3}$~~]~~ | ~~[~~$0{,}185 \times 10^{-3}$~~]~~ | not applicable ([20]) | not applicable ([20]) | ~~[5.45]~~ ~~**4,6**~~ **111** $_{\text{fw fish}}$[(32)] **4,6** $_{\text{sw fish}}$[(32)] | X | | X |
| (35) | Perfluorooctane sulfonic acid and its derivatives (PFOS) | Industrial substances | 1763-23-1 | 217-179-8 | Covered by substance group 65 (Per- and ~~poly-fluorinated~~ **polyfluoro**alkyl substances (PFAS) – sum of 24) | | | | | | | |
| (36) | Quinoxyfen | Pesticides – fungicides | 124495-18-7 | not applicable | 0,15 | 0,015 | 2,7 | 0,54 | | X | | X |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (37) | Dioxins and dioxin-like compounds ([21]) ~~[33]~~ | Industrial byproducts | not applicable | not applicable | | | ***not applicable*** | ***not applicable*** | Sum of PCDDs+ PCDFs+ PCB-DLs equivalents ~~[3,5 x $10^{-5}$]~~ ([22]) | X | X | X |
| (38) | Aclonifen | Pesticides - herbicides | 74070-46-5 | 277-704-1 | ~~0,12~~0,12 | ~~0,012~~0,012 | 0,12 | 0,012 | | | | |
| (39) | Bifenox | Pesticides - herbicides | 42576-02-3 | 255-894-7 | 0,012 | 0,0012 | 0,04 | 0,004 | | | | |
| (40) | Cybutryne | Biocides | 28159-98-0 | 248-872-3 | 0,0025 | 0,0025 | 0,016 | 0,016 | | | | |
| (41) | Cypermethrin ([23]) | Pyrethroid pesticides - insecticides | 52315-07-8 | 257-842-9 | $3 \times 10^{-5}$ | $3 \times 10^{-6}$ | $6 \times 10^{-4}$ | $6 \times 10^{-5}$ | | | | X |
| (42) | Dichlorvos | Organophosphate pesticides | 62-73-7 | 200-547-7 | $6 \times 10^{-4}$ | $6 \times 10^{-5}$ | $7 \times 10^{-4}$ | $7 \times 10^{-5}$ | | | | |
| (43) | Hexabromocyclododecane (HBCDD) ([24]) | Industrial substances | See footnote 24 | See footnote 24 | ~~[$4,6 \times 10^{-4}$]~~ | ~~[$2 \times 10^{-5}$]~~ | 0,5 | 0,05 | ~~[3,5]~~ **90 $_{fw\ fish}$** [(32)] **3,5 $_{sw\ fish}$** [(32)] | X | X | X |
| (44) | Heptachlor and heptachlor epoxide | Organochlorine pesticides | 76-44-8 / 1024-57-3 | 200-962-3/ 213-831-0 | ~~[$1,7 \times 10^{-7}$]~~ | ~~[$1,7 \times 10^{-7}$]~~ | $3 \times 10^{-4}$ | $3 \times 10^{-5}$ | ~~[0,013]~~ | X | X | X |
| (45) | Terbutryn | Pesticides - Biocides | 886-50-0 | 212-950-5 | 0,065 | 0,0065 | 0,34 | 0,034 | | | | |
| (46) | 17 alpha-ethinylestradiol (EE2) | Pharmaceuticals (Estrogenic hormones) | 57-63-6 | 200-342-2 | $1,7 \times 10^{-5}$ | $1,6 \times 10^{-6}$ | not derived | not derived | | | | |
| (47) | 17 beta-estradiol (E2) | Pharmaceuticals - estrogenic hormones | 50-28-2 | 200-023-8 | 0,00018 | $9 \times 10^{-6}$ | not derived | not derived | | | | |
| (48) | Acetamiprid | Neonicotinoid pesticides - insecticides | 135410-20-7 / 160430-64-8 | 603-921-1 | 0,037 | 0,0037 | 0,16 | 0,016 | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (49) | Azithromycin | Pharmaceuticals - macrolide antibiotics | 83905-01-5 | 617-500-5 | 0,019 | 0,0019 | 0,18 | 0,018 | | | | X |
| (50) | Bifenthrin | Pyrethroid pesticides - insecticides | 82657-04-3 | 617-373-6 | $9,5 \times 10^{-5}$ | $9,5 \times 10^{-6}$ | 0,011 | 0,001 | | | | X |
| (51) | Bisphenol-A (BPA) | Industrial substances | 80-05-7 | 201-245-8 | ~~$3,4 \times 10^{-5}$~~ **$1,7 \times 10^{-4}$** | ~~$3,4 \times 10^{-5}$~~ **$1,7 \times 10^{-4}$** | 130 | 51 | ~~0,005~~ **0,025** | X | | |
| (52) | Carbamazepine | Pharmaceuticals | 298-46-4 | 206-062-7 | 2,5 | 0,25 | $1,6 \times 10^{3}$ | 160 | | | | |
| (53) | Clarithromycin ~~(21)~~ | Pharmaceuticals - macrolide antibiotics | 81103-11-9 | 658-034-2 | ~~0,13~~0,13 | ~~0,013~~0,013 | 0,13 | 0,013 | | | | X |
| (54) | Clothianidin | Neonicotinoid pesticides - insecticides | 210880-92-5 | 433-460-1 | 0,01 | 0,001 | 0,34 | 0,034 | | | | |
| (55) | Deltamethrin | Pyrethroid pesticides - insecticides | 52918-63-5 | 258-256-6 | $1,7 \times 10^{-6}$ | $1,7 \times 10^{-7}$ | $1,7 \times 10^{-5}$ | $3,4 \times 10^{-6}$ | | | | X |
| (56) | Diclofenac | Pharmaceuticals | 15307-86-5 / 15307-79-6 | 239-348-5 / 239-346-4 | 0,04 | 0,004 | 250 | 25 | | | | X |
| (57) | Erythromycin | Pharmaceuticals - macrolide antibiotics | 114-07-8 | 204-040-1 | 0,5 | 0,05 | 1 | 0,1 | | | | X |
| (58) | Esfenvalerate | Pyrethroid pesticides - insecticidees | 66230-04-4 | 613-911-9 | $1,7 \times 10^{-5}$ | $1,7 \times 10^{-6}$ | 0,0085 | 0,00085 | | | | X |
| (59) | Estrone (E1) | Pharmaceuticals - estrogenic hormones | 53-16-7 | 200-164-5 | $3,6 \times 10^{-4}$ | $1,8 \times 10^{-5}$ | not derived | not derived | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (60) | Glyphosate | Pesticides - herbicides | 1071-83-6 | 213-997-4 | 0,1 ([25])<br>86,7 ([26]) | 8,67 | **not applicable ([25])**<br>398,6**([26])** | 39,86 | | | | |
| (61) | Ibuprofen | Pharmaceuticals | 15687-27-1 | 239-784-6 | ~~0,22~~ **0,14** | ~~0,022~~ **0,014** | | | | | | X |
| (62) | Imidacloprid | Neonicotinoid pesticides - insecticides | 138261-41-3 / 105827-78-9 | 428-040-8 | 0,0068 | $6,8 \times 10^{-4}$ | 0,057 | 0,0057 | | | | |
| (63) | Nicosulfuron | Pesticides - herbicides | 111991-09-4 | 601-148-4 | 0,0087 | $8,7 \times 10^{-4}$ | 0,23 | 0,023 | | | | |
| (64) | Permethrin | Pyrethroid pesticides - insecticides | 52645-53-1 | 258-067-9 | $2,7\times 10^{-4}$ | $2.7 \times 10^{-5}$ | 0,0025 | $2,5 \times 10^{-4}$ | | | | X |
| (65) | Per- and ~~poly-fluorinated~~ **polyfluoro**alkyl substances (PFAS) – sum of 25 ([27]) ~~([33])~~ | Industrial substances | not applicable | not applicable | Sum of PFOA equivalents 0,0044 ([28]) | Sum of PFOA equivalents 0,0044 ([28]) | not applicable | not applicable | Sum of PFOA equivalents 0,077 ([28]) | X | X | X |
| (66) | Silver | Metals | 7440-22-4 | 231-131-3 | 0,01 | 0,006 (10~~%~~**‰** salinity)<br>0,17 (30~~%~~**‰** salinity) | 0,022 | not derived | | | | |
| (67) | Thiacloprid | Neonicotinoid pesticides – insecticides | 111988-49-9 | 601-147-9 | 0,01 | 0,001 | 0,05 | 0,005 | | | | |
| (68) | Thiamethoxam | Neonicotinoid pesticides - insecticides | 153719-23-4 | 428-650-4 | 0,04 | 0,004 | 0,77 | 0,077 | | | | |
| (69) | Triclosan~~([31])~~ | Biocides | 3380-34-5 | 222-182-2 | ~~0,02~~0,02 | ~~0,002~~0,002 | 0,02 | 0,002 | | | | |
| ~~(70)~~ | ~~Total of active substances in pesticides, including their relevant metabolites, degradation and reaction products ([29])~~ | ~~Plant protection products and biocides~~ | | | ~~0,5 ([30])~~ | ~~0,5 ([30])~~ | | | | | | |
| (70) | Sum of active substances in the pesticides and biocides listed in this table~~([33])~~* | Pesticides and biocides | Not applicable | Not applicable | 0.1* | 0.01* | | | | | | |

**Commented [PW4]:** The proposed EQS for sum of pesticides are not based on ecotoxicological data and the same mode of action, which is obvious since the group consists of herbicides, insecticides, etc. Thus, SE do not support this inclusion

(1) CAS: Chemical Abstracts Service.

(2) EU number: European Inventory of Existing Commercial Substances (EINECS) or European List of Notified Chemical Substances (ELINCS).

(3) This parameter is the EQS expressed as an annual average value (AA-EQS). Unless otherwise specified, it applies to the total concentration of all substances and isomers.

(4) Inland surface waters encompass rivers and lakes and related artificial or heavily modified water bodies.

(5) This parameter is the EQS expressed as a maximum allowable concentration (MAC EQS). Unless otherwise specified, it applies to the total concentration of all substances and isomers. Where the MAC EQS are marked as "not applicable", the AA EQS values are considered protective against short-term pollution peaks in continuous discharges since they are significantly lower than the values derived on the basis of acute toxicity.

(6) If an EQS biota **or sediment** is given, it, rather than the water EQS, shall be applied, without prejudice to the provision in Article 3(3) of this Directive allowing an alternative biota taxon, or another matrix, to be monitored instead, as long as the EQS applied provides an equivalent level of protection. Unless otherwise specified, it applies to the total concentration of all substances and isomers. Unless otherwise indicated, the biota EQS relate to fish. For substances numbered 15 (Fluoranthene), 28 (PAHs), and 51 (Bisphenol-A) the biota EQS refers to crustaceans and molluscs. For the purpose of assessing chemical status, monitoring of Fluoranthene **,** ~~and~~ **PAHs**~~,~~ and Bisphenol-A in fish is not appropriate. For substance number 37 (Dioxins and dioxin-like compounds), the biota EQS relates to fish, crustaceans and molluscs, in line with Commission Regulation (EU) No 1259/2011* Annex Section 5.3.

(7) For the group of priority substances covered by brominated diphenylethers (No 5), the EQS refer to the sum of the concentrations of congener numbers 28, 47, 99, 100, 153 and 154.

(8) Tetra, Penta, Hexa, Hepta, Octa and Decabromodiphenylether (CAS numbers 40088-47-9, 32534-81-9, 36483-60-0, 68928-80-3, 32536-52-0, 1163-19-5, respectively).

(9) For Cadmium and its compounds (No 6) the EQS values vary depending on the hardness of the water as specified in five class categories (Class 1: <40 mg CaCO3/l, Class 2: 40 to <50 mg CaCO3/l, Class 3: 50 to <100 mg CaCO3/l, Class 4: 100 to <200 mg CaCO3/l and Class 5: ≥200 mg CaCO3/l).

(10) No indicative parameter is provided for this group of substances. The indicative parameter(s) must be defined through the analytical method.

~~(11) DDT total comprises the sum of the isomers 1,1,1 trichloro 2,2 bis (p chlorophenyl) ethane (CAS 50 29 3, EU 200 024 3); 1,1,1 trichloro 2 (o chlorophenyl) 2 (p chlorophenyl) ethane (CAS 789 02 6, EU 212 332 5); 1,1 dichloro 2,2 bis (p chlorophenyl) ethylene (CAS 72 55 9, EU 200 784 6); and 1,1 dichloro 2,2 bis (p chlorophenyl) ethane (CAS 72 54 8, EU 200 783 0).~~

(12) These EQS refer to bioavailable concentrations of the substances.

~~(13) The EQS for biota refers to methyl mercury.~~

(14) Nonylphenol (CAS 25154-52-3, EU 246-672-0) including isomers 4-nonylphenol (CAS 104-40-5, EU 203-199-4) and 4-nonylphenol (branched) (CAS 84852-15-3, EU 284-325-5).

(15) Octylphenol (CAS 1806-26-4, EU 217-302-5) including isomer 4-(1,1',3,3'-tetramethylbutyl)-phenol (CAS 140-66-9, EU 205-426-2).

(16) Benzo(a)pyrene (CAS 50-32-8) (RPF 1), benzo(b)fluoranthene (CAS 205-99-2) (RPF 0,1), benzo(k)fluoranthene (CAS 207-08-9) (RPF 0,1), benzo(g,h,i)perylene (CAS 191-24-2) (RPF 0), indeno(1,2,3-cd)pyrene (CAS 193-39-5) (RPF 0,1), chrysene (CAS 218-01-9) (RPF 0,01), benzo(a)anthracene (CAS 56-55-3) (RPF 0,1), ~~and~~ dibenz(a,h)anthracene (CAS 53-70-3) (RPF 1) **and fluoranthene (CAS 206-44-0) (RPF 0,01). Fluoranthene also appears separately in row 15.** The PAHs anthracene~~, fluoranthene~~ and naphthalene are listed **only** separately **because no RPF is available**.

(17) For the group of polyaromatic hydrocarbons (PAHs) (No 28), the biota EQS refers to the sum of the concentrations of ~~seven~~ **eight** of the ~~eight~~ **nine** PAHs listed in footnote ~~17~~ **16** expressed as benzo(a)pyrene equivalents based on the carcinogenic potencies of the substances relative to that of benzo(a)pyrene, i.e. the RPFs in footnote 16. Benzo(g,h,i)perylene does not need to be measured in biota for the purposes of determining compliance with the overall EQS biota. **The biota EQS for fluoranthene in row 15 must also be complied with.**

(18) Tributyltin compounds including tributyltin-cation (CAS 36643-28-4).

(19) Sediment EQS

(20) There is insufficient information available to set a MAC-EQS for these substances.

(21) This refers to the following compounds:
7 polychlorinated dibenzo-p-dioxins (PCDDs): 2,3,7,8-T4CDD (CAS 1746-01-6, EU 217-122-7), 1,2,3,7,8-P5CDD (CAS 40321-76-4), 1,2,3,4,7,8-H6CDD (CAS 39227-28-6), 1,2,3,6,7,8-H6CDD (CAS 57653-85-7), 1,2,3,7,8,9-H6CDD (CAS 19408-74-3), 1,2,3,4,6,7,8-H7CDD (CAS 35822-46-9), 1,2,3,4,6,7,8,9-O8CDD (CAS 3268-87-9)
10 polychlorinated dibenzofurans (PCDFs): 2,3,7,8-T4CDF (CAS 51207-31-9), 1,2,3,7,8-P5CDF (CAS 57117-41-6), 2,3,4,7,8-P5CDF (CAS 57117-31-4), 1,2,3,4,7,8-H6CDF (CAS 70648-26-9), 1,2,3,6,7,8-H6CDF (CAS 57117-44-9), 1,2,3,7,8,9-H6CDF (CAS 72918-21-9), 2,3,4,6,7,8-H6CDF (CAS 60851-34-5), 1,2,3,4,6,7,8-H7CDF (CAS 67562-39-4), 1,2,3,4,7,8,9-H7CDF (CAS 55673-89-7), 1,2,3,4,6,7,8,9-O8CDF (CAS 39001-02-0)
12 dioxin-like polychlorinated biphenyls (PCB-DLs): 3,3',4,4'-T4CB (PCB 77, CAS 32598-13-3), 3,3',4',5-T4CB (PCB 81, CAS 70362-50-4), 2,3,3',4,4'-P5CB (PCB 105, CAS 32598-14-4), 2,3,4,4',5-P5CB (PCB 114, CAS 74472-37-0), 2,3',4,4',5-P5CB (PCB 118, CAS 31508-00-6), 2,3',4,4',5'-P5CB (PCB 123, CAS 65510-44-3), 3,3',4,4',5-P5CB (PCB 126, CAS 57465-28-8), 2,3,3',4,4',5-H6CB (PCB 156, CAS 38380-08-4), 2,3,3',4,4',5'-H6CB (PCB 157, CAS 69782-90-7), 2,3',4,4',5,5'-H6CB (PCB 167, CAS 52663-72-6), 3,3',4,4',5,5'-H6CB (PCB 169, CAS 32774-16-6), 2,3,3',4,4',5,5'-H7CB (PCB 189, CAS 39635-31-9).

(22) For the group of Dioxins and dioxin-like compounds (No 37), the biota EQS refers to the sum of the concentrations of the substances listed in footnote ~~20~~ **21** expressed as toxic equivalents based on the World Health Organisation 2005 Toxic Equivalence Factors.

(23) CAS 52315-07-8 refers to an isomer mixture of cypermethrin, alpha-cypermethrin (CAS 67375-30-8, EU 257-842-9), beta-cypermethrin (CAS 65731-84-2, EU 265-898-0), theta-cypermethrin (CAS 71691-59-1) and zeta-cypermethrin (CAS **1315501-18-8** ~~52315-07-8~~, EU 257-842-9).

(24) This refers to 1,3,5,7,9,11-Hexabromocyclododecane (CAS 25637-99-4, EU 247-148-4), 1,2,5,6,9,10- Hexabromocyclododecane (CAS 3194-55-6, EU 221-695-9), α-Hexabromocyclododecane (CAS 134237-50-6), β-Hexabromocyclododecane (CAS 134237-51-7) and γ- Hexabromocyclododecane (CAS 134237-52-8).

(25) For freshwater used for the abstraction and preparation of drinking water.

(26) For freshwater not used for the abstraction and preparation of drinking water.

(27) This refers to the following compounds, listed with their CAS number, EU number and Relative Potency Factor (RPF)~~, as well as their derivatives~~:
Perfluorooctanoic acid (PFOA) (CAS 335-67-1, EU 206-397-9) (RPF 1), Perfluorooctane sulfonic acid (PFOS) (CAS 1763-23-1, EU 217-179-8) (RPF 2), Perfluorohexane sulfonic acid (PFHxS) (CAS 355-46-4, EU 206-587-1) (RPF 0,6), Perfluorononanoic acid (PFNA) (CAS 375-95-1, EU 206-801-3) (RPF 10), Perfluorobutane sulfonic acid (PFBS) (CAS 375-73-5, EU 206-793-1) (RPF 0,001), Perfluorohexanoic acid (PFHxA) (CAS 307-24-4, EU 206-196-6) (RPF 0,01), Perfluorobutanoic acid (PFBA) (CAS 375-22-4, EU 206-786-3) (RPF 0,05), Perfluoropentanoic acid (PFPeA) (CAS 2706-90-3, EU 220-300-7) (RPF 0,03), Perfluoropentane sulfonic acid (PFPeS) (CAS 2706-91-4, EU 220-301-2) (RPF 0,3005), Perfluorodecanoic acid (PFDA) (CAS 335-76-2, EU 206-400-3) (RPF 7), Perfluorododecanoic acid (PFDoDA or PFDoA) (CAS 307-55-1, EU 206-203-2) (RPF 3), Perfluoroundecanoic acid (PFUnDA or PFUnA) (CAS 2058-94-8, EU 218-165-4) (RPF 4), Perfluoroheptanoic acid (PFHpA) (CAS 375-85-9, EU 206-798-9) (RPF 0,505), Perfluorotridecanoic acid (PFTrDA) (CAS 72629-94-8, EU 276-745-2) (RPF 1,65), Perfluoroheptane sulfonic acid (PFHpS) (CAS 375-92-8, EU 206-800-8) (RPF 1,3), Perfluorodecane sulfonic acid (PFDS) (CAS 335-77-3, EU 206-401-9) (RPF 2), Perfluorotetradecanoic acid (PFTeDA) (CAS 376-06-7, EU 206-803-4) (RPF 0,3), Perfluorohexadecanoic acid (PFHxDA) (CAS 67905-19-5, EU 267-638-1) (RPF 0,02), Perfluorooctadecanoic acid (PFODA) (CAS 16517-11-6, EU 240-582-5) (RPF 0,02), ~~and Ammonium perfluoro (2-methyl-3-oxahexanoate)~~**2,3,3,3-tetrafluoro-2-(heptafluoropropoxy)propionic acid** (HFPO-DA ~~or Gen X~~) (CAS ~~62037-80-3~~ **13252-13-6**) (RPF 0,06), ~~Propanoic Acid / Ammonium~~ 2,2,3-trifluoro-3-(1,1,2,2,3,3-hexafluoro-3-(trifluoromethoxy)propoxy)propano~~ate~~**ic acid** ~~(ADONA)~~ (CAS ~~958445-44-8~~ **919005-14-4**) (RPF 0,03), 2- (Perfluorohexyl)ethyl alcohol (6:2 FTOH) (CAS 647-42-7, EU 211-477-1) (RPF 0,02), 2-(Perfluorooctyl)ethanol (8:2 FTOH) (CAS 678-39-7, EU 211-648-0) (RPF 0,04) and ~~Acetic acid / ~~2,2-difluoro-2-((2,2,4,5-tetrafluoro-5-(trifluoromethoxy)-1,3-dioxolan-4-yl)oxy)**acetic acid** (C6O4) (CAS 1190931-41-9) (RPF 0,06), Trifluoroacetic acid (TFA) (CAS 76-05-1, EU 200-929-3) (RPF 0.002).

(28) For the group of PFAS (No 65), the EQS refer to the sum of the concentrations of the 25 PFAS listed in footnote 27~~, and their derivatives,~~ expressed as PFOA-equivalents based on the potencies of the substances relative to that of PFOA, i.e. the RPFs in footnote 27. **The critical EQS is the biota EQS (relating to fish consumption) and must therefore be complied with. The AA-EQS are not equivalently protective.**

~~(29) 'Pesticides' means plant protection products as referred to in Article 2 of Regulation (EC) No 1107/2009and biocidal products as defined in Article 3 of Regulation (EU) No 528/2012.~~

~~(30) 'Total' means the sum of all individual pesticides detected and quantified in the monitoring procedure, including their relevant metabolites, degradation and reaction products.';~~

(32) **'fw fish' indicates the $EQS_{biota}$ for freshwater fish monitored in inland waters ; 'sw fish' indicates the $EQS_{biota}$ for saltwater fish monitored in other surface waters**

**(33) The minimum performance criteria laid down in Directive 2009/90/EC apply to each individual substance within the group of substances but taking account of the need to quantify the contribution of each substance to the total concentration for comparison with the EQS**

*With the following exceptions: the four pesticides to be monitored in biota or sediment, i.e. the substances numbered 16, 30, 34 and 44, and glyphosate.

**ANNEX 9 (Totals/sum): new**

The following Annex is inserted into Directive 2008/105/EC

**ANNEX III**

SUBSTANCES SUBJECT TO REVIEW FOR POSSIBLE IDENTIFICATION AS PRIORITY SUBSTANCES OR PRIORITY HAZARDOUS SUBSTANCES

| **Name of substance** | **CAS number** | **EU number** |
|---|---|---|
| Sum of Bisphenols | not applicable | not applicable |
| Sum(s) of selected pesticides by mode of action | not applicable | not applicable |
| Sum(s) of selected pharmaceuticals by mode of action | not applicable | not applicable |
| | | |

| Recital 8 | | | | |
|---|---|---|---|---|
| 18 | (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. 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, | (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*** | (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)**, trichloro-ethylene and tetrachloro-ethylene** 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 | (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*** |

| | | | | |
|---|---|---|---|---|
| | 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. | ***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. | 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. | ***subset of specific PFAS 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 should therefore be added to the list of priority substances.*** Voluntary monitoring in groundwater, and watch-list monitoring under Article 8b of Directive 2008/105/EC have ***also*** confirmed a risk in groundwaters and surface waters from a number of pharmaceutical substances which should therefore be added to the list of pollutants in Annex I to Directive 2006/118/EC or to the priority substances list as relevant. In groundwater, the cumulative risk from pharmaceuticals should be addressed by setting a quality standard for the sum of eight selected pharmaceuticals identified during that watch-list monitoring. In surface water, cumulative risk from estrogenic pharmaceuticals should be addressed by effect-based monitoring and, taking into account data from more recent and ongoing watch-list monitoring, the Commission should consider setting |

| | | | | |
|---|---|---|---|---|
| | | | | standards for the sum(s) of selected pharmaceuticals, potentially based on mode of action, at the next review; for this reason "sum(s) of selected pharmaceuticals' should be added to Annex III to Directive 2008/105/EC. The Commission should also consider setting standards for total pharmaceuticals, supported by appropriate monitoring methods.<br>Member States are encouraged to monitor also PFAS Total in groundwater ~~and surface water~~ using the guidance adopted under Article 13(7) of 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. The Commission should consider ~~the guidance and~~ the results obtained by Member States in defining a monitoring method for PFAS Total specifically in groundwater, and encourage Member States to apply it. The Commission should adapt the method to facilitate the monitoring of PFAS Total in surface water and encourage the Member States to apply it. The Commission should also consider setting quality standards for PFAS Total in groundwater and |

| | | | | |
|---|---|---|---|---|
| | | | | surface waters during the next review of the lists of pollutants in Annexes I to Directives 2006/118/EC and 2008/105/EC. |
| Recital 8a | | | | |
| 18a | | ***(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[1] 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*** | | To be discussed. |

| | | | | |
|---|---|---|---|---|
| | | ***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.***<br><br>_____<br>***1. 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.*** | | |
| Recital 8b | | | | |
| 18b | | ***(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[1]. 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,*** | | Not relevant if Atrazine is indeed moved to Annex II Part C.. |

| | | | | |
|---|---|---|---|---|
| | | ***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[2].***<br><br>_____<br>***1. Commission Decision 2004/248/EC of 10 March 2004 concerning the non-inclusion of atrazine in Annex I to Council Directive91/414/EEC and the withdrawal of authorizations for plant protection products containing this active substance (OJ L 78, 16.3.2004, p. 53).***<br>***2. 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) (OJ L 435, 23.12.2020, p. 1).*** | | |
| Recital 8c | | | | |
| 18c | | ***(8c) According to SCHEER[1] and EMA[2], the generic quality standard of 0,1 µg/L and 0,5 µg/L for*** | | See Recital 11b below~~re pesticides in surface waters.~~ |

| | | | | |
|---|---|---|---|---|
| | | ***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[3], interim threshold values, based on best available scientific knowledge, should be established.***<br><br>_____<br>***1. 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.***<br>***2. EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.***<br>***3. European Groundwater Memorandum: To secure the quality and quantity of drinking water for future generations, March 2022.*** | | |
| Recital 8d | | | | |
| 18d | | ***(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*** | | ***(8d) Bisphenol-A should be added to the list of substances in Annex I to Directive 2008/105/EC and designated as a priority hazardous substance. Scientific evidence shows that bisphenols other than Bisphenol-A have endocrine-disrupting potential, and thus that replacing the use of one by the use of another might not have the intended benefit. Further, mixtures of bisphenols could pose a cumulative risk. The Commission*** |

| | | | | |
|---|---|---|---|---|
| | | ***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.*** | | ***should therefore review the listing of bisphenols in general at the next review, and consider the establishment of an EQS for 'Bisphenols Total' or at least for the 'Sum of Bisphenols', including at least Bisphenol-B and Bisphenol-S, supported by appropriate monitoring methods. The 'Sum of Bisphenols' should therefore be listed in Annex III to Directive 2008/105/EC, along with other parameters which the Commission should consider adding to the priority substances list at the next review. Furthermore, Member States should give particular consideration to whether to identify and monitor at least Bisphenol B and Bisphenol S as river basin specific pollutants, where potentially relevant, and to reporting the data in line with Article 8(4) of Directive 2000/60/EC to ensure that the risk from the sum of those bisphenols and Bisphenol A can be properly assessed at the next review. The Commission should also consider establishing quality standards for 'Bisphenols Total' and 'Sum of Bisphenols' in Directive 2006/118/EC.*** |
| Recital 8a (Council's mandate) | | | | |

| | | | | |
|---|---|---|---|---|
| 18e | | | **(8a) Taking into account that groundwater is the main source of drinking water in Europe, it is essential to harmonize the quality standards in line with the parametric values set for drinking water under Directive (EU) 2020/2184. This is especially the case for PFAS. However, it has recently been demonstrated that the parametric value relating to the sum of the 20 PFAS, as listed in point 3 of Part B of Annex III to Directive (EU) 2020/2184, is not in line with the latest scientific developments in respect to the list of PFAS to be given priority consideration, the toxicity of these substances, and the variability of this toxicity between the substances in this family. In the absence of a complete and final agreement on the harmonization of standards, a quality standard for the group of 20 PFAS mentioned above is set in Annex I of Directive 2006/118/EC, by way of reference to the parametric value for that group in Directive (EU) 2020/2184 in order to ensure that any change to that value should automatically be incorporated into Directive 2006/118/EC. To take account of the recent scientific knowledge, a** | To be further discussed. |

| | | | | |
|---|---|---|---|---|
| | | | **quality standard for the sum of the four most problematic PFAS is added to Annex I to Directive 2006/118/EC in accordance with the value proposed by the European Food Safety Authority. Future amendments to Directive (EU)2020/2184 should also apply to this sum parameter.** | |
| Recital 8b (Council's Mandate) | | | | |
| 18f | | | **(8b) Taking into account the most recent scientific knowledge, including on new parameters such as TFA, it is of utmost importance that the parametric values for PFAS in Directive (EU) 2020/2184 be promptly reviewed and revised as appropriate and, in that case also the quality standards in Annex I to Directive 2006/118/EC be aligned.** | To be further discussed. |
| Recital 8c (Council's Mandate) | | | | |
| 18g | | | **(8c) Pharmaceutical active substances are of great concern for ecosystems. Groundwater quality standards for pharmaceuticals should therefore be aligned, for the substances most frequently encountered in groundwater bodies, with the values adopted or proposed as environmental quality standards to be achieved in surface waters. This should ensure the** | |

| | | | | |
|---|---|---|---|---|
| | | | **protection of associated aquatic ecosystems and dependent terrestrial ecosystems. Stricter standards are needed to protect sensitive groundwater ecosystems. Member States should work with the Commission under the Common Implementation Strategy for Directive 2000/60/EC to establish a methodology for identifying such ecosystems. As soon as a reliable method is available, Member States should, where relevant, apply that method. If a Member State identifies the presence of such ecosystems, it should set stricter quality standards or threshold values accordingly, unless the standard has been set to protect human health and is already sufficiently strict to protect the sensitive ecosystems.** | |
| Recital 8e | | | | |
| 18h | | ***(8e) According to the European Medicines Agency (EMA)[1], 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.***<br>_____<br>*1. EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.* | | |

| Recital 11 | | | | |
|---|---|---|---|---|
| 21 | (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 | (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 | (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 | ***The conventional chemical analytical methods used for monitoring substances under this Directive cannot, in general, determine cumulative (or mixture) risk***. Considering the growing awareness of the relevance of mixtures and therefore of effect- |

| | | | | |
|---|---|---|---|---|
| | 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. | 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~~***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*** | States **are encouraged to** ~~should~~ apply such methods **on a voluntary basis** 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 **and could also replace substance-by-substance monitoring. The concept of effect based trigger values should be defined**. ~~The definition of EQS~~ in Directive 2000/60/EC **and the definition of good chemical status** 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. | 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 pharmaceutical substances listed in Annex I to Directive 2008/105/EC. ***The Commission should publish a report on*** ~~T~~that comparison and an analysis of ~~will be used to assess~~ whether effect-based monitoring methods ***deliver data robust and accurate enough to allow them to*** ~~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***, and could also replace substance-by-substance monitoring at many locations. The concept of effect based trigger values should be*** |

| | | | | |
|---|---|---|---|---|
| | | ***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. | | ***defined***~~.. The definition of EQS~~ in Directive 2000/60/EC ***and the definition of good chemical status*** 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. |
| Recital 11b | | | | |
| | | | | Whereas the risk from mixtures of pesticides is to some degree covered in Directive 2006/118/EC by the quality standard for total pesticides, the risk from such mixtures is not addressed in Directive 2008/105/EC. To at least partly address that cumulative risk, an EQS should therefore be set for the sum of the pesticides included in the list of priority substances that are to be monitored in water, and that EQS should be taken into account when assessing chemical status.<br><br>To take better account of mixture risk in future, the Commission should consider setting standards |

| | | | | |
|---|---|---|---|---|
| | | | | for the sum(s) of selected pesticides, potentially based on mode of action and possibly covering more pesticides that those listed individually in Annex I, at the next review; for this reason "sum(s) of selected pesticides" should be added to Annex III to Directive 2008/105/EC. It should also consider whether a risk-based approach could be taken to establishing an EQS for total pesticides, supported by an appropriate monitoring method.<br><br>***Because the generic quality standards of 0,1 µg/L and 0,5 µg/L for individual and total pesticides in groundwater specified in Annex I to Directive 2006/118/EC were established in the 1980s, and limited by the sensitivity of the analytical methods available at that time, they may not be sufficiently protective of human health or the environment, and the Commission should therefore review these values at the next*** |

| | | | | |
|---|---|---|---|---|
| | | | | ***review of the list of pollutants in groundwater.*** |
| | | | | |

| Article 2, first paragraph, point (7), amending provision, numbered paragraph (6a) | | | | |
|---|---|---|---|---|
| 211c | | ***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.*** | | See para 7a below. |

| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7a) | | | | |
|---|---|---|---|---|
| 212a | | | **7a. Member States may from … [OP please insert the date = the first day of the month following 24 months after the publication of the method developed in accordance with Article 13(7) of the Directive (EU) 2020/2184 of the European Parliament and of the Council of** | (See Recital 8 (line 18) – which applies also to SW.)<br>The Commission shall consider establishing a quality standard for PFAS Total in groundwater at the next review, and aim to complement the guidance on monitoring PFAS Total in drinking |

| | | | | |
|---|---|---|---|---|
| | | | **16 December 2020 on the quality of water intended for human consumption], for a period of two years, monitor "total PFAS" using the method developed in accordance with Article 13(7) of the 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. Where the Member States decide to do so, they shall conduct the monitoring at appropriate locations and select a number of sites in representative groundwater bodies.";** , | water, developed in accordance with Article 13(7) of 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, to make it applicable to monitoring PFAS Total in groundwater.<br>Member States are encouraged to already apply that guidance to monitor PFAS Total in groundwater and to report the the data in line with Article 8(4) of Directive 2000/60/EC. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7b) | | | | |
| | | | | The Commission shall consider at the next review whether a risk-based approach could be taken to establishing a quality standard for total pharmaceuticals in groundwater , supported by suitable monitoring methods. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7c) | | | | |
| | | | | The Commission shall consider at the next review whether to establish a quality standard for |

| | | | | |
|---|---|---|---|---|
| | | | | 'Sum of Bisphenols' in groundwater, and whether a risk-based approach could be taken to establishing a quality standard also for 'Bisphenols Total' in groundwater, supported by suitable monitoring methods. |
| Article 2, first paragraph, point (7), amending provision, numbered paragraph (7d) | | | | |
| | | | | The Commission shall consider at the next review whether to revise the quality standards in Annex I to this Directive for pesticides (individual and total) and for non-relevant metabolites in groundwater. |

| *Article 3, first paragraph, point (5), amending provision, numbered paragraph (6a)* | | | | |
|---|---|---|---|---|
| *292a* | | ***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 settting a quality standard for 'PFAS total' and amending Annex I accordingly.*** | | The Commission shall consider establishing quality standards for PFAS Total in surface waters at the next review, and aim to complement the guidance on monitoring PFAS Total in drinking water, developed in accordance with Article 13(7) of 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, to make it applicable to monitoring PFAS Total in surface waters. Member States are encouraged to already apply that guidance to monitor PFAS Total in surface waters and to report the the data in line with Article 8(4) of Directive 2000/60/EC. |
| Article 3, first paragraph, point (5), amending provision, numbered paragraph (6b) | | | | |
| 292b | | ***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.*** | , | ***6b. A parameter 'Sum of Bisphenols' and parameters for the sum(s) of selected pesticides and selected pharmaceuticals shall be included in Annex III to Directive 2008/105/EC. The Commission shall review the possible inclusion of these parameters in the priority substances list at its next review, and set EQS as appropriate. The Commission shall also consider at the next review whether a risk-based approach could be taken to establishing EQS for total bisphenols, total pesticides and total pharmaceuticals in surface waters, supported by suitable monitoring methods.*** |

**GWD Annex I –**

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| [Entry] N° | Name of substance | Category of substances | CAS number ([1]) | EU number ([2]) | Quality Standard ([3])<br>[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)<br>0,5 (total) ([5]) |
| **3** | **PFAS** | | | | |
| 3.1 | **Sum of PFAS**<br>~~Per- and poly-fluorinated alkyl substances (PFAS) - sum of 24~~ ([6]) | Industrial substances | ~~See table note 6~~ | ~~See table note 6~~ | ~~0,0044 ([7])~~<br>**The parametric value as defined in Annex I part B of Directive 2020/2184/EC**<br>Proposal made for separate TFA standard in GW, based on RIVM (NL) value. |

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| **3.2** | **Sum of 4 PFAS** [6.2] | **Industrial substances** | **See table note 6.2** | **See table note 6.2** | **0,0044** |
| 3.3 | Trifluoroacetic acid | | 76-05-1 | 200-929-3 | 2,2** |
| 4 | Carbamazepine | Pharmaceuticals | 298-46-4 | not applicable | ~~0,25~~ **2,5**[13] |
| 5 | Sulfamethoxazole | Pharmaceuticals | 723-46-6 | not applicable | ~~0,01~~ **0,1**[13] |
| 6 | **Primidone**<br>~~Pharmaceutical active substances – total ([8])~~ | Pharmaceuticals | **125-33-7**<br>~~not applicable~~ | | ~~0,25~~ **(2,5)** [13] |
| | Sum of pharmaceutical active substances* | Pharmaceuticals | not applicable | not applicable | 2,5[13] |
| 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]) |



**Commented [PW5]:** If PFAS25 (PFAS24 + TFA) with QS 0,0044 ug PFOA-eq/l is proposed for surface water in the EQSD, and the QS is derived for protection of human health, how come that different parameters are proposed in GWD (PFAS4 + TFA)? It would be more coherent to include PFAS25 with the RPF approach in both EQSD and GWD.
Regarless, the "Sum of PFAS" with reference to DWD could still remain in the GWD.

**Commented [PW6]:** Why are carbamazepine and primidone included as separate parameters with the QS 2,5 ug/l as they are also included in the "sum of (8) pharmaceutical active substances" with the same QS of 2,5 ug/l?

If carbamazepine or primidone exceeds 2,5 the "sum of (8) pharmaceutical active substances" parameter also fails, so it does not make ense to include them as separate parameters aswell? (The case is different for sulfamethoxazole which has a lower QS).

This should be clearly explained, or modified if SE should be able to support this proposal.

**Commented [PW7]:** Footnotes are not included in this document - SE assumes that the commission will be responsible to define a list of compounds that should be considered as nrMs (footnotes 11 and 12, which are missing)?
Otherwise SE cannot support this proposal

| (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|
| **8** | **Trichloro-ethylene and Tetrachloroethylene (sum of two)** | **Industrial substances** | **79-01-6 and 127-18-4** | **201-167-4 and 204-825-9** | **10 (total)([14])** |

**([6.2]) This refers to the following compounds, listed with their CAS number: (355-46-4) Perfluorohexane sulfonic acid (PFHxS); (1763-23-1) Perfluorooctanesulfonic acid (PFOS); (335-67-1); Perfluorooctanoic acid (PFOA); (375-95-1) Perfluorononanoic acid (PFNA); (68259-12-1). For the sum of 4 PFAS, the CAS numbers listed refer only to the protonated form of the individual PFAS but the sum applies to the total concentration of the dissolved substances including protonated and deprotonated forms and their isomers linear and branched.**

** If other PFAS are present, this should be taken into account in the risk assessment.

*The sum shall apply to the sum of the following active substances: carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone and iopamidol.

~~**If groundwater ecosystems are found to be present, consideration should be given to setting a lower standard~~

**Commented [PW8]:** How were these 8 substances selected? It does not seem like they were chosen directly from the watch list report on pharmaceuticals in groundwater (Voluntary Groundwater Watch List (Endorsed V3.1 - June 2019).pdf). What other sources have been used, and is the selection based more on high occurrence/concentration/leaching potential to groundwater, or also on eco-/human toxicity of the compounds?

This must be clearly motivated if SE should be able to support this proposal. It is important to be able to explain how parameters and QS have been chosen.

**ANNEX 10 (Inventories / IED): new**

**Explanation compromise:**

- EP wants to keep the information on inventories of emissions available in the RBMPs, in an electronically accessible database; irrespective of the possible reporting to the Industrial Emissions Portal.
- Council wants to also include the diffuse emissions in the 'simplified' reporting to the Industrial Emissions Portal.
- Council would also accept to include the 'point source emissions below thresholds or outside scope of the IE Regulation' in the Portal; subject to such reporting being done only every six years and in accordance with a format to be set out in an implementing act, in cooperation with EEA who manages the Portal
- Council wants EC to assess, every six years, whether the info on emissions shows sufficient progress towards objectives under Art 4 WFD

**Compromise:**

- Keep the title 'inventories of emissions', to clarify that these will continue to be included (referred to via a link to the Portal) in the RBMPs;
- Include diffuse emissions in the reporting to IE Portal
- Clarify that, for what concerns point source emissions below the threshold/out of scope of the Industrial Emissions Portal Regulation, as well as for diffuse emissions, the Commission will first, in cooperation with the EEA, set out the details of the (six year) reporting in an implementing act, for MS to use as from the fifth cycle;
- Art 7a EQSD already provides for an obligation for the EC to assess whether measures at MS and Union level are sufficient to achieve compliance with objectives and in particular phase out emissions of priority hazardous substances

**Article 5 is amended as follows (green highlighted = EP amendment; blue highlighted = Council amendment and yellow highlighted = EC compromise text):**

(a) paragraph 1 is replaced by the following:

'1. On the basis of the information collected in accordance with Articles 5 and 8 of Directive 2000/60/EC and other available data, each Member State~~s~~ 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 substances identified by the Member State as river basin specific 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 first subparagraph shall not apply to emissions, discharges and losses reported, on a yearly basis, ~~to the Commission~~ electronically to the **Industrial Emissions Portal established under** Regulation (EU) ~~.../...~~**2024/1244** of the European Parliament and of the Council[1], **in accordance with Article 7 of that Regulation."**;

(b) paragraphs 2 and 3 are deleted;

(c) paragraph 4 is replaced by the following:

'4. 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.~~

The reference period for the establishment of values in the updated inventories shall be the year before the year in which the analyses specified under Article 5(2) of Directive 2000/60/EC are to be completed ~~the first subparagraph are to be completed~~.

~~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.~~

As part of these updates, Member States shall ensure that the **point source emissions to water** not falling under the scope of Regulation (EU) 2024/1244 or falling below the annual reporting thresholds set out in that Regulation, as well as the emissions of pollutants from **diffuse sources** in the sense of Article 8 of Regulation (EU) 2024/1244, to water, are also reported electronically to the Commission in order to be made available in ~~included to~~ the Industrial Emissions Portal established under Regulation (EU) ~~.../...++, are published in their~~ 2024/1244, at least **every six years,** ~~and~~ aggregated at the level of each river basin ~~management plans as updated in accordance with Article 13(7) of that Directive~~ district or part thereof lying within a Member State's territory.

~~For point source emissions not reported in accordance with Regulation (EU) .../... +++, because they do not fall under the scope of that Regulation or because they are below the annual reporting thresholds set out in that Regulation, the reporting obligation set out in the first subparagraph of this Article shall be fulfilled by electronic reporting to the Industrial Emissions Portal established under that Regulation.~~

The Commission shall, ~~assisted by the European Environment Agency~~ adopt an implementing act establishing the format, ~~level of granularity and frequency~~ of the reporting referred to in the third ~~fourth~~ subparagraph. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 9(2).'; When establishing that implementing act, the Commission shall be assisted, where so required, by the EEA.

4a. Member States shall ensure that the river basin management plans established in accordance with Article 13 of Directive 2000/60/EC~~,~~ include a clear reference or weblink to all the emissions to water ~~reported~~ made available in the Industrial Emissions Portal in accordance with paragraphs one and three ~~four~~.

(d) paragraph 5 is deleted