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**Brussels, 11 July 2025**

**WK 9675/2025 INIT**

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## **CONTRIBUTION**

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

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Following the call for comments (WK 9254/25) on the above, delegations will find attached comments by BE, CY, CZ, DE, IE, ES, FI, FR, IT, LU, HU, NL, AT, PL, PT, SE and SK.

**BELGIUM****Priority Substances in Water: Follow-up to the WPE on 2 July 2025****WRITTEN COMMENTS BELGIUM****1. Substances cluster:**

<b>Total / sum compromise</b>	
<b>Pharmaceuticals</b>	<b>SW</b> : setting standards for the sum(s) of selected pharmaceuticals, based on mode of action, in a next Annex III to EQSD "for next review" <b>GW</b> : - placing sum of pharmaceuticals in a new Annex V to GW "for next review" - Carbamazepine, sulfamethoxazole and primidone in Annex I - Individual pharmaceutical substances in Annex II part D "
<b>EBM</b>	<b>SW</b> : Make it mandatory
<b>Pesticides</b>	<b>SW</b> : EQS = 0.1 µg/l for sum pesticides already included in the list, except 4 in biota or sediment <b>GW</b> : More time for Com to furnish list of metabolites + relocate this in operative text + QS for total in discussion (12,5 µg/l?)
<b>Bisphenols</b>	<b>SW</b> : B-ph-A in annex I + sum of all B-ph's in annex III for future revision +monit volont B-ph-B and S by MS, <b>GW</b> : sum of B-ph's in annex V for future revision
<b>PFAS and TFA</b>	<b>SW</b> : sum of 24 PFAS + TFA in Annex I, QS = 0,0044 µg/L in PFOA equiv. <b>GW</b> : adding TFA to the sum of 4-EFSA, QS = 0.0044 µg/l in PFOA equiv. + QS for relevant metabolites in groundwater (0.1 µg/l) apply to TFA.
<b>Synthetic substances (repository)</b>	<b>GW</b> : Primidone in annex I
<b>Deselection of substances</b>	Keep deselected trichlorobenzene Reintroduce all others with lower QS for atrazine

**Question for Delegations:**

- Can you show flexibility to the revised compromise package on substances?
- If not, where do you see any major potential concerns and red lines?

***Pharmaceuticals and effect-based monitoring***

BE can agree with the proposals of including sum of pharmaceuticals in a new Annex V to Directive 2006/118/EC as a holding place for a next review. The proposals regarding EB Monitoring made mandatory and sum(s) of pharmaceuticals placed in annex III of Surface water directive for next revision are also acceptable for us.

***Pesticides***

In our opinion, the addition of a new standard for the sum of substances already included in the EQSD does not add any value, but we can live with it.

BE agrees with the proposal to add in Annex III (of EQS-D) " sum(s) of selected pesticides by mode of action".

BE can be flexible on the deadline for the development of the list of metabolites of pesticides for GW as long as this delay will be reasonable. The list should be available no later than twelve months after the entry into force of this Directive. There is no problem in extracting the reference to the list from the footnote and inserting it into the operational text, but when drafting the proposal, it should be remembered that we do not need a "list of non-relevant metabolites of pesticides". An exhaustive list of metabolites of pesticide substances specifying whether they are relevant or not, is needed. It

is essential to respect this wording, as Member States do not systematically classify these metabolites in the same way, leading to divergent interpretations and a lack of harmonization.

BE welcomes the proposal to raise the QS for the sum of non-relevant metabolites to 12.5 µg/l. The footnotes (10) and (11) of Annex I should be aligned accordingly.

### *Bisphenols*

BE can agree to put the sum of every biphenolic compounds as a placeholder in Annex III of EQSD and in the new annex V of GWD but the addition of specific bisphenol compounds (B, S or whatever) should first be submitted to the watch-list procedure. Further research is needed on these substances before they can be included on the watch list. In this context, inclusion in Annex III/V is appropriate.

### *PFAS including TFA*

BE considers TFA to be part of the PFAS group of substances as defined by the OECD definition. However, BE does not agree with the addition of TFA to the proposed QS for EFSA-4 sum in the **GWD** as the sum 4 is based on an EFSA opinion: the value of 0.0044 has been computed by EFSA following a scientifically based toxicological work. We also do not agree with the idea of using a relative potency factor to this QS for 4-EFSA sum, as EFSA's result gave a value for a non-weighted sum, as current data did not allow the derivation of potency factors.

**We disagree with treating TFA as a relevant metabolite of pesticide** and using an individual standard of 0,1µg/l in the GWD. First of all, this would result in two different QS for the same molecule, which is unacceptable. Furthermore, this 0.1 µg/l is a very low value. It is not clear whether TFA should then be included in the assessment of the sum standard for active and relevant metabolites, i.e. 0.5µg/l or not.

**As a conclusion, BE strongly advocate for maintaining the EU Council agreement for PFAS in GWD and adding TFA to Annex I of the GWD with a separate QS, for example, the one of 2.2 µg/l proposed by Polish presidency.**

The footnotes (6.2) and (7) of Annex I should be aligned accordingly.

For **surface water**, we also prefer to set a separate EQS for TFA rather than adding it to the list of PFAS<sup>24</sup>. The same EQS of 2.2 µg/l can be established for SW pending further research by ECHA and other research institutions on the toxicity of this substance.

As an additional reason for treating TFA separately from other PFAS pending further research, reference is made to Commission Notice C/2024/4910: “Technical guidelines regarding methods of analysis for monitoring of per- and polyfluoroalkyl substances (PFAS) in water intended for human consumption”, which recommends TFA to be assessed separately from total PFAS.

In the current proposal, Member States are encouraged to use the Commission notice to measure total PFAS in GW and SW so that, based on these results, the Commission can consider an EQS for total PFAS in a subsequent review of the lists. From this perspective and based on the current state of play, it is desirable to treat TFA separately from other PFAS in the current lists for these specific directives.

### *Synthetic Substances*

BE agree with the suppression of primidone in annex 2 part B of GWD. This is a typing error appeared after the version voted by the council where the word 'primidone' had been strikethrough.

### *Deselection of substances*

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

However, BE is opposed to the lowering of the EQS for atrazine without any scientific dossier to support such a decision.

## 2. Horizontal issues:

Add new safeguards in non-deterioration issue:

- Short term deteriorations: introduce ad hoc ex-post verifications where current monitoring is insufficient, and requires that relevant ex-post findings be integrated into the RBPP's
- Relocations without net increase:
  - treatment should be applied where feasible
  - ecological status of WB not to fall into a lower class ;
  - receiving water body is already not in good chemical status, regarding most persistent and bioaccumulating pollutants relocated.

### Question for Delegations:

- Can you accept the revised text on the non-deterioration exemptions?

BE can accept the revised text on the non-deterioration exemptions. It is an important point for us to keep these new exemptions in the final compromise and the conditions should certainly not be tightened further.

## 3. Compliance and timelines cluster

Present some overall ideas on possible landing zones regarding compliance, timelines, transposition and mutatis mutandis :

### Mutatis Mutandis option

(based on Council mandate and 2013 Directive)

- **Substances with revised EQS (SW)**
  - Compliance: 22 December 2033
  - Programme of measures in 2027 RBMP
  - Mutatis mutandis: one RBMP cycle (= 2039)
- **New substances (SW and GW)**
  - Compliance: 22 December 2039
  - Preliminary programme of measures 22 December 2030
  - Mutatis Mutandis: one RBMP cycle (= 2045)
- **River Basin Specific Pollutants/additional substances and thresholds (SW and GW)**
  - Compliance: next full RBMP cycle
  - Mutatis mutandis: one RBMP cycle

### Fixed dates with differentiated approach

- **New Pharmaceuticals and PFAS**
  - Compliance: 2045\*
  - Preliminary Programme of measures 2030\*\*
- **New pesticides, industrial substances, bisphenol, and silver**
  - Compliance: 2039
  - Preliminary Programme of measures 2030\*\*
- **Substances w. revised EQS**
  - Compliance: 2033
  - Programme of measures 2027
- **River Basin Specific Pollutants/additional substances and threshold values**
  - Compliance: next full RBMP cycle + one
  - Programme of measures: next full cycle

\*UWWTD deadline for 4. treatment by 2045 and PFAS remediation  
\*\*approach as in 2013 EQSD revision

BE can be flexible on the compliance dates and timelines.

Concerning the proposal on possible landing zones, we prefer the mutatis mutandis option because it is more straightforward and will remain applicable for future revisions of the lists of substances.

With regard to the programme of measures for new substances, we believe that this should be part of the next RBMP in 2033 rather than a provisional programme of measures in 2030.

### Reflections on transposition

In order to ensure that the provisions of the Directive can take effect in Member States in time for the planning period 2027-2033, i.e. the fourth RBMP, the transposition date has to be 22 December 2027 at the latest.

- Council mandate: 24 months
- COM proposal + EP mandate: 18 months
- Compromise proposal: 22 December 2027 as a fixed date in order to grant as much flexibility as possible for Member States

Concerning the transposition dates, BE insists that the revised directives must apply at the start of the fourth planning cycle and thus the ultimate transposition deadline should be 22<sup>nd</sup> December 2027.

## COMMENTS FROM CYPRUS

### **Comments of the Republic of Cyprus for the WPE on 2/7/2025 on the Priority Substances Directive**

Cyprus welcomes the compromise proposal and thanks the Presidency for the work done. With respect to the issues outlined in the steering document I have the following comments:

#### **1. Substances cluster**

- Cyprus insists that effect-based monitoring for estrogenic pharmaceuticals mandatory in surface water should be on a voluntary basis only. **This is a red line for Cyprus.**
- Cyprus opposes the addition of PFAS to the list of groundwater pollutants and to the list of priority substances in surface waters.
- Cyprus can show flexibility to the remaining topics of the revised compromise package on substances

#### **2. Horizontal issues**

- Cyprus can be flexible on the revised text on the non-deterioration exemptions. However, we are concerned that the new additional safeguards will make the application of these exemptions very difficult.

#### **3. Compliance and timelines cluster**

- Cyprus considers transposition very important and prefers to stick to the Council mandate
- We are still analyzing the compliance, timelines, and mutatis mutandis option, trying to find flexibility for compromise

## COMMENTS FROM CZECHIA

### **CZ comments following the WPE meeting on 2 July 2025 – Priority Substances in Water**

#### **1. substance cluster**

##### **Specific comments:**

##### **SW**

- CZ prefers effect-based monitoring to be voluntary, not mandatory. If this monitoring should be mandatory, then we require that this obligation should not apply to every water body.  
According to the proposed paragraph in Directive 2008/105/EC, it would be mandatory in those water bodies where estrogen hormones E1, E2 and EE2 will be monitored, for a period of 2 years with a frequency of 4 times/year.
- Annex III to the EQS Directive is only very general, it only states that in the future the sums of bisphenols, pesticides and pharmaceuticals may be PS or PHS, which the Czech Republic agrees with. However, it is not clear what will be meant by the term "mode of action". In the previous proposal was said that the sum of pesticides will apply to those that are listed in the list of priority substances and for which EQS are set, other than the 4 listed and glyphosate, which the Czech Republic agreed with.
- It is not clear whether it makes sense to set EQS for metabolites of pesticides metabolites when it is not specified to whom its concerns. In addition the EQS value of 12.5 microg/l is high. The EQS is probably derived on the basis of some effect (perhaps a mixture), but here we do not know how this value was achieved. Further discussion and explanation would be appropriate here.
- CZ welcomes the keeping of two different EQSs for glyphosate, the stricter value only for surface waters intended for drinking water production.
- The stricter EQS-AA value for atrazine (from 0.6 to 0.1 microg/l) should not cause any major problems. In the Czech Republic, this could lead to non-achievement of good chemical status in 3 surface water bodies.
- CZ agrees in principle with the addition of trifluoroacetic acid to the sum of 24 PFAS with RTF factor of 0.002. The problem is that its determination must be carried out using a different analytical method than other PFAS, which increases monitoring costs.
- the reinstatement of some substances, originally proposed for de-selection from priority substances, is not a significant change, since the assessment of chemical status will be newly implemented together with river basin specific pollutants. Moreover, these are not substances that would be a frequent cause of failure of achievement of good chemical status.

##### **GW**

CZ welcomes, that the sum of pharmaceuticals will only be proposed with an indication of which specific substances it will cover (at the European level).

**General comment:**

**CZ agrees with the amended proposal for the "substances cluster" and has no "red lines" on this proposal.**

**We request that our comments be taken into account.**

## **2. Horizontal issues (non – deterioration)**

**CZ agrees with the compromise wording of Article 4.7b.**

**In the case of the compromise wording of Article 4.7a, we propose only one change, namely in letter b), consisting in deleting the word “reliably” in the ex-ante assessment.**

**It is not clear what is meant by ‘reliably’. Keeping this word in the provision may lead to disputes as to whether the ex-ante assessment was sufficiently reliable or not. Given that the ex-ante assessment will be carried out by a competent authority, it goes without saying that the assessment will be reliable.**

## **3. Compliance and timelines cluster (Presidency Presentation)**

**CZ prefers Mutatis Mutandis option (based on Council mandate and 2013 Directive).**

**CZ agrees with proposed deadlines for transposition.**

## COMMENTS FROM GERMANY

### **Water Package (2000/60/EC, 2006/118/EC, 2008/105/EC) revision Written comments by Germany on WK 7085/2025 REV 1 after WPE of July 2<sup>nd</sup> 2025**

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

#### Cluster 1 Substances

- **Request for clarification:** The reference to a new GWD Annex V is unclear. The purpose and function ("holding place for a next review") of the Annex V mentioned here are not explained in detail. Should this annex be similar to the old Annex II of the EQSD?
- The classification of substances to the category "Identified as a substance that tends to accumulate in sediment and/or biota" (EQSD - Annex I, column 13) does not seem correct. It is incomprehensible why substances such as ibuprofen and diclofenac are classified as accumulating, but nonylphenol and triclosan are not. Please check this variable against the final EQS dossiers. It should not be inferred that these substances are automatically of particular relevance for the sediment (and dredged material).

#### **a) Bisphenols**

- **Partial approval:** The inclusion of bisphenol-B and bisphenol-S as well as the sum of bisphenols in a reintroduced Annex III of the EQS Directive is **supported** in order to consider the inclusion in the next review. However, the monitoring of bisphenol-B and bisphenol-S as river basin-specific pollutants is **rejected**. DEU **proposes** that recital 8d addresses the inclusion of bisphenol-B and bisphenol-S in the next surface water watch-list.
- DEU **supports** the monitoring of bisphenols in groundwater. However, the proposed regulatory mechanism is unclear. Here too, DEU **prefers** the use of the watch-list mechanism.

#### **b) Sum of pesticides in surface waters**

- **Partial approval:** The inclusion of a sum parameter for pesticides in Annex I of the EQSD as proposed is **rejected**. It combines substances with fundamentally different modes of action into a single value that is either overprotective or underprotective for individual active substances.
- We **support** the inclusion of a sum parameter for pesticides by mode of action, in the reintroduced Annex III of the EQSD to be examined for the next review. Probably a fractionation approach, taking into account the different toxicities and concentrations of the pesticides concerned, could be applied alternatively. From a toxicological POV a mixture is considered safe, when the sum of all quotients is smaller than 1.

### c) Non-relevant metabolites

- DEU is **flexible** with regard to the COM deadline of 6 months for drawing up the list of non-relevant metabolites. Likewise, flexibility with regard to the proposed change of the position of the list in the GWD (Annex I footnote 4) from the Annex to the operative text.
- **Request for clarification:** The proposed new regulations on non-relevant metabolites in Annex I of the GWD are not clear. DEU requests additional explanations (footnotes 10 & 11; Annex I GWD).

### d) TFA in groundwater

- DEU **rejects** the use of the Relative Potency Factor for Sum of 4 PFAS. In its Scientific Opinion, EFSA gave equal toxicological weighting to the four PFAS. Any deviation should be very well justified.
- **Red line:** DEU insists on maintaining separate threshold values for Sum of 4 PFAS and TFA. The 4 PFAS are based on EFSA considerations and should not be mixed with regulations on TFA.
- **Flexibility** with regard to the regulations on PFAS Total proposed by the Presidency and deviating from the Council mandate.
- **Support** for the included references to an urgent revision of the relevant regulations on PFAS in the DWD.
- **Rejection** of GWD Annex I - Council version - Entry 3.1 (Sum of PFAS) Column 6: For PFAS-20, both the reference to the GWD parameter as well as the value of 0.0044 µg PFOA eq./l are mentioned. **Only** the reference to the GWD should be listed here instead.

### e) Pharmaceuticals

#### Sum parameter for surface waters

- We **support** the inclusion of a sum parameter for active pharmaceutical ingredients (active substance) (for surface waters), accordingly grouped by mode of action, in the reintroduced Annex III of the EQS Directive for consideration in the next review.

#### Sum parameter for groundwater

- Due to the slow processes, the long retention time and the frequent withdrawal of water for drinking water supply, following the precautionary principle we **recommend** to set a sum parameter for groundwater for some particularly frequently detected active pharmaceutical ingredients. This does not hinder a later revision of this threshold value, as soon as more precise scientific findings are available.
- DEU **prefers** the proposal of the PL PRES with a threshold value of 2.5 µg/L for the sum of 8 selected active pharmaceutical ingredients. The approach proposed by the DK PRES does not seem feasible. Currently the threshold values in the GWD cannot be derived from toxicological studies on groundwater-organisms, as such studies are not available.
- DEU would **prefer** a regulation of primidone in Annex II Part B GWRL rather than a regulation in Annex I GWRL. Primidone is not relevant in groundwater in Germany.

- DEU **supports** the regulations on carbamazepine and sulfamethoxazole in Annex I of the GWD.

#### f) Deselection of substances

- We **refer** to our written comments in the follow-up to the WPE of June 2nd, 2025

#### g) Synthetic substances

- We refer to our comments on primidone, and **prefer** a regulation in Annex II Part B of the GWD.

### Cluster 2 – Horizontal issues

#### a) Non-deterioration

- The DK Presidency's proposal for the two new exceptions is **approved** with the **exception** of one point.
- **Approval** of the amended recital 14 d
- **Approval** of Article 4(7a). DEU sees the ex post evaluation as an additional burden for the use of this exception in practice. However, as it is primarily based on the mandatory WFD, DEU is **flexible** because this aspect appears to be important for the EP. However, a stricter version of the text for ex post assessment in the further negotiations would be problematic for DEU.
- From our perspective, only Article 4(7b)(e) is needed for the protection of drinking water abstraction. Therefore Article 4(7b)(d) is **rejected** so that the exception is not subject to too many requirements.
- DEU had already **agreed** to Article 4(7b)(g).
- **Approval** of Article 4(7b)(h) (previously (e)). This clarifies which information should be included in the river basin management plans.

### Cluster 3 - Compliance and timelines

- Irrespective of the entry into force of the directives, it won't be possible to take them into account in the river basin management plans that are currently in preparation, and which are valid for the period from the beginning of 2028 to the end of 2033.
- DEU therefore **prefers** an implementation period of 24 months. This is a very complex dossier, therefore sufficient time for its transposition into national law must be available.
- The measures in the river basin management plans must be adapted to enable the compliance with new, in some cases stricter EQS for existing priority substances. This also comes too late for the upcoming management cycle. It is therefore necessary to adjust the deadline for achieving the good chemical status in relation to those substances from 2033 to 2039 (see Article 3 EQSD; line 242 of the 4-column document).
- The Mutatis mutandis clause, **as agreed** by the council **should be inserted** in the GWD and EQSD.

## **COMMENTS FROM IRELAND**

regarding the Priority Substances in Water Directive – 9<sup>th</sup> July 2025

### **1. Substances Cluster**

#### Trifluoroacetic acid (TFA)

It was noted that TFA was first proposed for inclusion as an individual substance to the GWD Annex in the proposed text in June. It appears that the proposal was based on a Netherlands study, with a proposed standard of 2.2 ug/l.

IE have concerns relating to the basis for inclusion not being provided / potentially being different to the other PFAS substances included. The family of “PFAS” substances already proposed for inclusion to the GWD Annex had the aim of harmonising with the Drinking Water Directive (DWD). The late inclusion of TFA does not seem to follow that process, and the justification for inclusion is not clear. IE are not opposed to its inclusion as an individual substance; however, there are concerns regarding the potential lack of harmonisation with DWD and the actual basis for the 2.2 ug/l standard (which is 3 orders of magnitude less stringent than the other “PFAS” substances). The less stringent standard may suggest that it does not present the same risk to human health or aquatic ecology as the other PFAS substances, but this is not clear.

The amended proposal is to include TFA in with the total “PFAS” substances, and to include it for assessment against the 0.0044 ug/l total PFAS standard. IE have concerns in this regard, particularly if the parameter is different to those other PFAS with health-based standards. Further clarification is needed. Including TFA, which was permissible in the environment at higher concentrations (i.e. 2.2 ug/l), in the total PFAS assessment will potentially lead to wide spread failures of the 0.0044 ug/l total PFAS standard.

The reasons for inclusion of TFA in the total PFAS substances needs to be clarified. If TFA is different to other PFAS substances, a basis for its inclusion needs to be provided and assessed by MS. It is important to align with the process for the other GWD Annex substance standards and determine if TFA should be included in the total PFAS group assessment or if it should be a standalone parameter with an individual standard/parameter assessment.

#### Sum(s) of selected pharmaceuticals by mode of action approach

The information provided with regards to the “sum(s) of selected pharmaceuticals by mode of action” approach being proposed, does not clearly indicate what “mode of action” means. IE interprets it as meaning that there will be further review by the MS/C'ion and groups of similar pharmaceuticals will be agreed and a total/sum standard will be arrived at for each group. This approach appears sensible, in principle, as long as there is harmonisation with the DWD and priority substances Directive i.e., the groups are comparable across the different legislation on the basis of health or aquatic eco-tox assessments and how the substances behave in groundwater is similar to how they behave in surface water (based on Persistence, Bioaccumulation and Toxicity as these are the criteria set out in the GW Directive). Further clarity is required.

#### Bisphenols

With regards to the inclusion of Bisphenols in a new Annex (V) of the GW Directive. In the June version of the proposal the text indicated *“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.”* In this version, Bisphenols, total Bisphenols are placed in an Annex along with a placeholder for yet to be determined standard(s).

IE are concerned that it may be too early to include Bisphenols in the Annex, particularly if the risk has not been established by completion of a risk based review. As with the other risk-based substances in the GW Directive, preference is that the text indicates that MS should consider developing a threshold value for the substance, based on the risk presented in that MS, allowing them to justify the rationale for the proposed threshold value.

## **2. Horizontal issues**

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.

The extra conditions listed under the exemptions appear to be difficult to apply. However, we do acknowledge and welcome the additional text proposed by the DK Presidency.

## **3. Compliance and timelines cluster**

In general, IE’s preference is to support the longer timeframes for adopting new or more stringent standards outlined by the CION as it is felt that the shorter timeframes proposed by the EP are too short, particularly given that many of the methodologies for analysis are new or do not yet exist.

IE supports the 24 month transposition timeline.

## **4. Mutatis Mutandis**

IE preference is option 1, continuing with mutatis mutandis.

## COMMENTS FROM SPAIN

### **ANNEX I: Bisphenols, PFAS, pesticides and pharmaceuticals in surface and groundwaters (EQSD and GWD)**

Bisphenol A is listed as a priority (hazardous) substance, with an EQS in biota (which must be applied) and AA and MAC-EQS in water.

Annex III to the EQSD has been re-established as a “holding place” for substances which should be considered for inclusion in the PS list at the next review, but which should in the meantime be monitored as RBSPs where relevant. At least bisphenol-B and bisphenol-S should be included in this monitoring.

Methods already exist so there should be no need for the EC to publish guidelines. See for example: [Simultaneous determination of seven bisphenols in environmental water and solid samples by liquid chromatography–electrospray tandem mass spectrometry - ScienceDirect](#)

#### Sum of pesticides in surface water

Sums of pesticide active substances is placed in Annex III to the EQSD. To make scientifically sense the sums should be based on modes of action, so that active substances with similar modes of action are added.

There is also a sum in Annex I to the EQSD of the pesticide active substances which are already measured.

ES: 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.

#### TFA (trifluoroacetic acid) in groundwater

TFA is added to the sum of 4 PFAS. The quality standard for this sum is suggested to be 0.0044 µg/L in PFOA equivalents because of the difference in toxicity of the substances.

ES: Reluctance to include TFA in the PFAS sum. Spain recommends to regulate TFA separately from other PFAS. The analytical laboratories of Spain's river basin authorities are experiencing serious difficulties in determining this substance. Including TFA in the PFAS sum could be counterproductive. We emphasize that there must be full alignment with the Drinking Water Directive. There are ongoing studies on TFA by ECHA and EFSA, so it would be recommendable to wait for the results. The correction factor used in the sum deviates from the Drinking Water Directive (DWD). Nevertheless, Spain shows flexibility regarding the application of this factor, if, as indicated by the Danish presidency, there are ongoing discussions to include this factor in the Drinking Water Directive itself.

Sum of pharmaceuticals in groundwater

It is suggested to place sum of pharmaceuticals in Annex V as a place holder. Many member states have questioned the reasoning behind the eight selected pharmaceuticals and the sum of them. A sum should be based on modes of action, and therefore more work is needed before scientifically meaningful sums can be suggested.

ES: We agree with placing the sum of the identified pharmaceutical substances (carbamazepine, sulfamethoxazole, ibuprofen, paracetamol (acetaminophen), diatrizoic acid, primidone, phenazone, and iopamidol) in a holding place, as we doubt that this summation allows for an accurate assessment of the cumulative risk of these substances. More work is needed as suggested by the DK presidency.

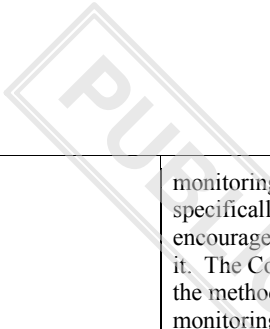
Recital 8				
18	(8) The new scientific knowledge points to a significant risk from several other pollutants found in water bodies, in addition to those already regulated. In groundwater, a particular problem has been identified through voluntary monitoring for per- and polyfluoroalkyl substances (PFAS) and pharmaceuticals. have been	(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	(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), <b>trichloro-ethylene and</b>	(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



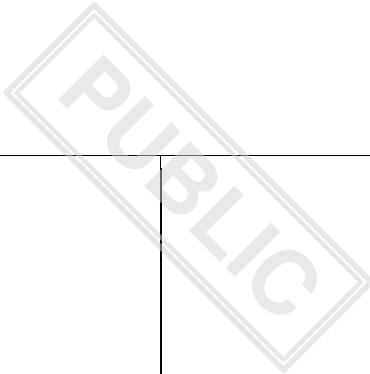
	<p>detected at more than 70% of the groundwater measuring points in the Union and existing national thresholds are clearly exceeded at a considerable number of locations, and pharmaceutical substances are also widely found. In surface waters, perfluorooctane sulfonic acid and its derivatives are already listed as priority substances, but other PFAS are now also recognised to pose a risk. Watch-list monitoring under Article 8b of Directive 2008/105/EC has confirmed a risk in surface waters from a number of pharmaceutical substances which should therefore be added to the priority substances list.</p>	<p>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. <u><i>A subset of specific PFAS as well as of PFAS total should therefore be added to the list of groundwater pollutants.</i></u> 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. <u><i>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.</i></u> Watch-list monitoring under Article 8b of Directive 2008/105/EC has <u><i>also</i></u> confirmed a risk in surface waters from a number of pharmaceutical substances which should therefore be added to the priority substances list.</p>	<p><b>tetrachloro-ethylene</b> and pharmaceuticals. PFAS have been detected at more than 70% of the groundwater measuring points in the Union and existing national thresholds are clearly exceeded at a considerable number of locations, and pharmaceutical substances are also widely found. In surface waters, perfluorooctane sulfonic acid and its derivatives are already listed as priority substances, but other PFAS are now also recognised to pose a risk. Watch-list monitoring under Article 8b of Directive 2008/105/EC has confirmed a risk in surface waters from a number of pharmaceutical substances which should therefore be added to the priority substances list.</p>	<p>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. A 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. <b>In groundwater, the Commission should consider addressing the cumulative risk from pharmaceuticals, by setting quality standards for the sum(s) of selected pharmaceuticals, potentially based on mode of action, at the next review. For this reason “sums(s) of</b></p>
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				<p>selected pharmaceuticals” should be added to the Annex V to Directive 2006/118. 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 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</p>
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				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		<p><u><i>(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<sup>1</sup> suggest, however, that an environmental quality standard</i></u></p>		<p>Given that there is a very large difference between the EQS for glyphosate required to protect the environment and that required to human health, different EQS should apply depending upon whether the surface water body is to be used for the abstraction of drinking water.</p>

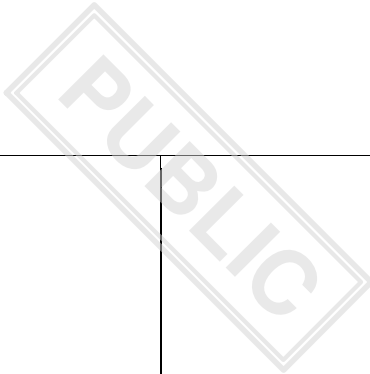


		<p><u><i>(EOS) lower than 0,1 µg /L for all surface water bodies should be considered based on the aquatic toxicity of glyphosate, AMPA and glyphosate-based herbicides. Considering the ongoing assessments by competent Union regulators and the scientific findings of relevant studies regarding the impacts of glyphosate on aquatic life, and for the purpose of ensuring the good chemical status of the majority of Union waters, based on the precautionary principle, a common and unified AA-EOS for inland surface waters and, separately, for other surface waters, should be adopted in relation to glyphosate.</i></u></p> <p><u><i>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.</i></u></p>		
Recital 8b				
18b		<p><u><i>(8b) Atrazine is a herbicide used for annual broad-leaved</i></u></p>		<p>Suggestion not to deselect atrazine.</p>

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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<sup>1</sup>. Atrazine has been proven to be an endocrine disruptor, with evidence that it interferes with reproduction and development, and it could be a cause of cancer. The European Environmental Agency, assessing pesticides against effect or quality thresholds between 2013 and 2020, found that exceedances of one or more pesticides, mainly exceedances of atrazine and its metabolites, were detected at between 4% and 11% of groundwater monitoring sites. Considering its persistent presence in Union surface and groundwater and in order to ensure the threshold values for atrazine do not exceed the total pesticides and metabolites EOS, 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<sup>2</sup>.

<sup>1</sup> Commission Decision 2004/248/EC of 10 March 2004 concerning the non-

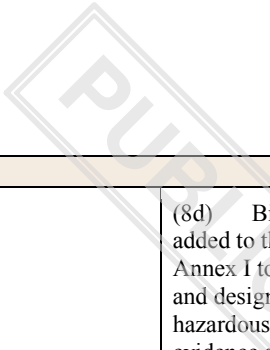


		<p><u><a href="#">inclusion of atrazine in Annex I to Council Directive 91/414/EEC and the withdrawal of authorizations for plant protection products containing this active substance (OJ L 78, 16.3.2004, p. 53).</a></u></p> <p><u><a href="#">2. Directive (EU) 2020/2184 of the European Parliament and 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).</a></u></p>		
Recital 8c				
18c		<p><u><a href="#">(8c) According to SCHEER<sup>1</sup> and EMA<sup>2</sup>, the generic quality standard of 0,1 µg/L and 0,5 µg/L for groundwater, suggested for individual pesticides and for the sum of all pesticides respectively, as specified in Directive 2006/118/EC, was established in the 1980s, based on the chemical-analytical sensitivity available at that time. The default value of 0,1 µg/L for individual pesticides is not proven to be sufficiently protective for human health and the groundwater ecosystem, and is sometimes significantly higher in comparison to threshold values for many pesticides and fungicides on the list of priority substances in Annex I to Directive 2008/105/EC. Taking into consideration also SCHEER's opinion that no groundwater threshold values</a></u></p>		See Recital 11b below.

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should be higher than the EOS 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<sup>3</sup>, interim threshold values, based on best available scientific knowledge, should be established.

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.  
2. EMA. Assessing the toxicological risk to human health and groundwater communities from veterinary pharmaceuticals in groundwater - Scientific guideline, April 2018.  
3. European Groundwater Memorandum: To secure the quality and quantity of drinking water for future generations, March 2022.



Recital 8d			
18d		<p><u><i>(8d) Bisphenol-A should be treated as a priority hazardous substance and should be added to the list in Annex I to Directive 2008/105/EC. Scientific reports show that also bisphenols other than bisphenol-A have proven endocrine-disrupting potential and mixtures of those bisphenols represent an ecotoxicological risk. Given that those scientific findings raise concerns regarding the safe use of alternatives to bisphenols that might have a negative impact on human health and the environment, the Commission should establish a 'Bisphenols Total' parameter and an appropriate EOS for the total of bisphenol substances.</i></u></p>	<p>(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 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. 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</p>

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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**

**(8a) Taking into account that groundwater is the main source of drinking water in Europe, it is essential to ensure that the quality standards set in this Directive support the achievement of the parametric values set for drinking water under Directive (EU) 2020/2184. Although it might be appropriate to harmonise the standards for PFAS 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 with respect to the list of PFAS to be given priority**

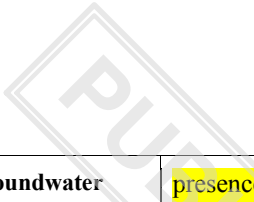


			<p>the harmonization of standards, a quality standard for the group of 20 PFAS mentioned above is set in Annex I of Directive 2006/118/EC, by way of reference to the parametric value for that group in Directive (EU) 2020/2184 in order to ensure that any change to that value should automatically be incorporated into Directive 2006/118/EC. To take account of the recent scientific knowledge, a 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.</p>	<p>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 PFAS 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 the composition of that group or that value be automatically incorporated into Directive 2006/118/EC. To take account of the most recent scientific knowledge, a quality standard for the sum of the four most problematic PFAS and TFA is added to Annex I to Directive 2006/118/EC in accordance with the value proposed by the European Food Safety Authority. To account for the difference in toxicity of the four PFAS and TFA the relative potency factors (RPF) of the</p>
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Commented [REDACTED]: Not TFA at this stage.

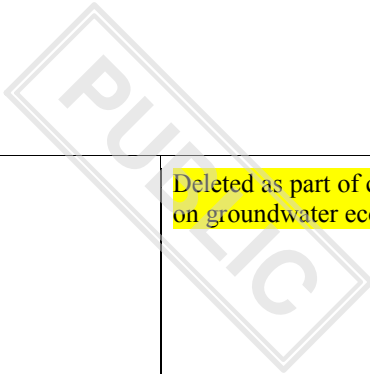
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				substances is used when calculating the sum of the five substances. To take account of the most recent scientific knowledge, it is of utmost importance that the parametric values for PFAS, including TFA, in Directive (EU) 2020/2184 be promptly reviewed and revised as appropriate and, in that case also that the quality standards in Annex I to Directive 2006/118/EC be aligned.
Recital 8b (Council's Mandate)				
18f			<b>(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.</b>	See 18e above.
Recital 8c (Council's Mandate)				
18g			<b>(8c) Pharmaceutical active substances are of great concern</b>	8c) There is a need to gather more knowledge about the



			<p>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.</p>	<p>presence, importance and sensitivity of groundwater ecosystems in order to properly protect them. 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. 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. As soon as a reliable methodology is available, Member States should, where relevant, apply that methodology, and set stricter standards where necessary to protect those ecosystems.</p>
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Recital 8e

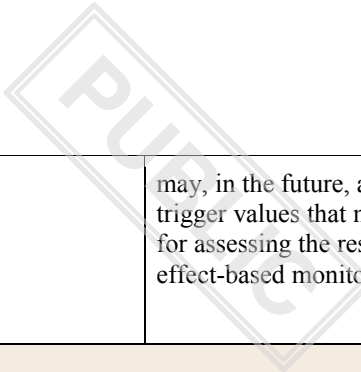


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Recital 11				
21	<p>(11) Considering the growing awareness of the relevance of mixtures and therefore of effect-based monitoring for determining chemical status, and considering that sufficiently robust effect-based monitoring methods already exist 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</p>	<p>(11) <u>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.</u> 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</p>	<p>(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 <b>are encouraged to</b> <del>should</del> apply such methods <b>on a voluntary basis</b> 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.</p>	<p>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, <u>Member States 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</u>. <del>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.</del> This will allow the comparison of effect-based</p>

Commented [REDACTED]: We defend the voluntary character of the EBM approach as it was agreed by Council Mandate.

	<p>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.</p>	<p>2008/105/EC. That comparison <del>will be used to assess</del> <u>should be included in an evaluation report published by the Commission in which it assesses</u> whether effect-based monitoring methods <u>deliver robust and accurate data and</u> 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 <u>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.</u> The definition of EQS in Directive 2000/60/EC should</p>	<p>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 <b>and could also replace substance-by-substance monitoring. The concept of effect based trigger values should be defined.</b> <del>The definition of EQS in Directive 2000/60/EC and</del> <b>the definition of good chemical status</b> 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.</p>	<p>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 that comparison and an analysis of it 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 defined. The definition of EQS in Directive 2000/60/EC and the definition of good chemical status should be modified to ensure that it</p>
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		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.		may, in the future, also cover trigger values that might be set for assessing the results of effect-based monitoring.
Recital 11b				
				<p>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 that are already 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.</p> <p>To take better account of mixture risk in the future, the Commission should consider setting standards for the sum(s) of selected pesticides, potentially based on mode of</p>

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				<p>action and possibly covering more pesticides than 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.</p> <p>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.</p>
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Article 2, first paragraph, point (7), amending provision, numbered paragraph (6a)				
211c		<p><u><i>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.</i></u></p>		See para 7a below.

Article 2, first paragraph, point (7), amending provision, numbered paragraph (7a)				
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212a			<p><b>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 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.”;</b></p>	<p>(See Recital 8 (line 18) – which applies also to SW.) 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 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. Member States are encouraged to already apply that guidance to monitor PFAS Total in groundwater and to report the data in line with Article 8(4) of Directive 2000/60/EC.</p>
Article 2, first paragraph, point (7), amending provision, numbered paragraph (7b)				
				<p>The Commission shall consider at the next review whether to establish quality standards for</p>

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				the sum(s) of selected pharmaceuticals and for the sum of bisphenols; for this reason “sums(s) of selected pharmaceuticals” and “sum of bisphenols” shall be added to Annex V to Directive 2006/118. The Commission shall also consider whether a risk-based approach could be taken to establishing a quality standards for total pharmaceuticals and total bisphenols in groundwater, supported by suitable monitoring methods.
Article 2, first paragraph, point (7), amending provision, numbered paragraph (7c)				
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.

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Article 3, first paragraph, point (5), amending provision, numbered paragraph (6a)			
292a		<p><u>6a. By 12 January 2025, the Commission shall establish technical guidelines regarding methods of analysis for monitoring of per- and polyfluoroalkyl substances under the parameters 'PFAS Total'. By 12 January 2026, the Commission shall adopt a delegated act in accordance with Article 9a amending this Directive by setting a quality standard for 'PFAS total' and amending Annex I accordingly.</u></p>	<p>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.</p>
Article 3, first paragraph, point (5), amending provision, numbered paragraph (6b)			
292b		<p><u>6b. By... [two years after the entry into force of this Directive].</u></p>	<p>6b. A parameter 'Sum of Bisphenols' and parameters for</p>

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		<p><u><i>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.</i></u></p>		<p>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.</p>
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GWD Annex I – Council version, edits in TC

(1)	(2)	(3)	(4)	(5)	(6)
[Entry] N°	Name of substance	Category of substances	CAS number ( <sup>1</sup> )	EU number ( <sup>2</sup> )	Quality Standard ( <sup>3</sup> ) [µg/l unless otherwise indicated]
1	Nitrates	Nutrients	not applicable	not applicable	50 mg/l
2	Active substances in pesticides, including their relevant metabolites,	Pesticides	not applicable	not applicable	0,1 (individual)
					0,5 (total) ( <sup>5</sup> )

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	degradation and reaction products <sup>(4)</sup>				
<b>3</b>	<b>PFAS</b>				
3.1	Sum of PFAS	Industrial substances	See table note 6	See table note 6	0,0044 <sup>(7)</sup> The parametric value as defined in Annex I part B of Directive 2020/2184/EC
3.2	Sum of 5 PFAS <sup>(6.2)</sup>	Industrial substances and degradation product.	See table note 6.2	See table note 6.2	0,0044 <sup>6.2</sup>
<del>3.3</del>	<del>Trifluoroacetic acid</del>		<del>76-05-1</del>	<del>200-929-3</del>	<del>2,2**</del>
4	Carbamazepine	Pharmaceuticals	298-46-4	not applicable	<b>2,5<sup>(13)</sup></b>

**Commented** [REDACTED]: Reintroduction of TFA as an individual substance.

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5	Sulfamethoxazole	Pharmaceuticals	723-46-6	not applicable	<u>0,1</u> <sup>(13)</sup>
6	<b>Primidone</b> Pharmaceutical active substances – total <sup>(8)</sup>	Pharmaceuticals	<u>125-33-7</u> not applicable		<u>(2,5)</u> <sup>(13)</sup>
7	Non-relevant metabolites of pesticides (nrMs)	Pesticides	not applicable	not applicable	5 (individual)
					5 or 12,5 (total) <sup>(12)</sup>
8	Trichloroethylene and Tetrachloroethylene (sum of two)	Industrial substances	79-01-6 and 127-18-4	201-167-4 and 204-825-9	10 (total) <sup>(14)</sup>

<sup>(1)</sup> CAS: Chemical Abstracts Service.

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

<sup>(3)</sup> This parameter is the QS expressed as an annual average value. Unless otherwise specified, it applies to the total concentration of all substances and isomers.

<sup>(4)</sup> 'Pesticides' means plant protection products and biocidal products referred to in Article 2 of Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and in Article 3 of Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products, respectively.

For this parameter, Member States shall monitor the active pesticide substances present in the products currently or previously used in their territory and any found to be present as a result of transboundary pollution, and their relevant metabolites, drawing, when it becomes available, on the list to be established in accordance with Article 4, paragraph 2a of this Directive.

A pesticide metabolite shall be deemed relevant if there is reason to consider that it has intrinsic properties comparable to those of the parent substance in terms of its pesticide target activity or that either itself or its transformation products generate a health risk for consumers and environment. ~~An exhaustive list of metabolites of pesticide substances specifying if they are relevant or not is made available by the Commission in accordance with article 4, paragraph 2a, of this Directive. Member States shall monitor, from this list, the active pesticide substances present in the products currently or previously used in their territory.~~

<sup>(5)</sup> 'Total' means the sum of all individual pesticides detected and quantified in the monitoring procedure, including their relevant metabolites, degradation and reaction products.

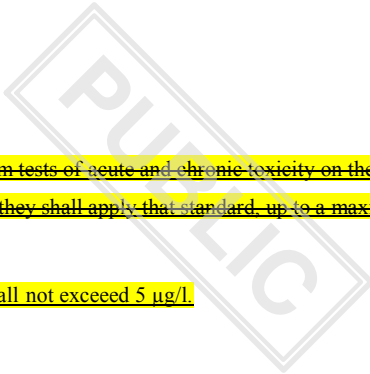
<sup>(6)</sup> This refers to the PFAS listed in point 3, Part B of Annex III to Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption. The parameter and the quality standard shall be updated according to amendments to that Directive.

<sup>(7)</sup> This refers to the following compounds, listed with their CAS number and EU number and Relative Potency Factor (RPF): Perfluorohexane sulfonic acid (PFHxS) (CAS 355-46-4, EU 206-587-1) (RPF=0.6); Perfluorooctanesulfonic acid (PFOS) (CAS 1763-23-1, EU 217-179-8) (RPF=2); Perfluorooctanoic acid (PFOA) (CAS 335-67-1, EU 206-397-9) (RPF=1); Perfluorononanoic acid (PFNA) (CAS 375-95-1, EU 206-801-3) (RPF=10); Trifluoroacetic acid (TFA) (CAS 76-05-1, EU 200-929-3) (RPF=0.002). For the sum of 5-4 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.

~~The parameter and the quality standard shall be updated according to further amendments to 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 QS refers to the sum of the 24 PFAS listed in footnote 6 expressed as PFOA-equivalents based on the potencies of the substances relative to that of PFOA, i.e. the RPFs in footnote 6.~~

<sup>(8)</sup> 'Total' means the sum of all individual pharmaceuticals detected and quantified in the monitoring procedure, including relevant metabolites and degradation products.



~~(9) Member States shall apply a default quality standard of 1 µg/l unless they provide reliable evidence, including from tests of acute and chronic toxicity on the taxonomic group confidently predicted to be the most sensitive, that a more or less strict standard is justified, in which case they shall apply that standard, up to a maximum of 5 µg/l.~~

(10) The total concentration of nrMs for which the default quality standard of 1 µg/l applies, or a stricter standard, shall not exceed 5 µg/l.

(11) The total concentration of nrMs for which standards above 1 and up to 5 µg/l apply shall not exceed 12.5 µg/l.

(12) 'Total' means the sum of all individual nrMs in each data category detected and quantified in the monitoring procedure, which should cover at least the nrMs listed in accordance with paragraph 2a of Article 4.

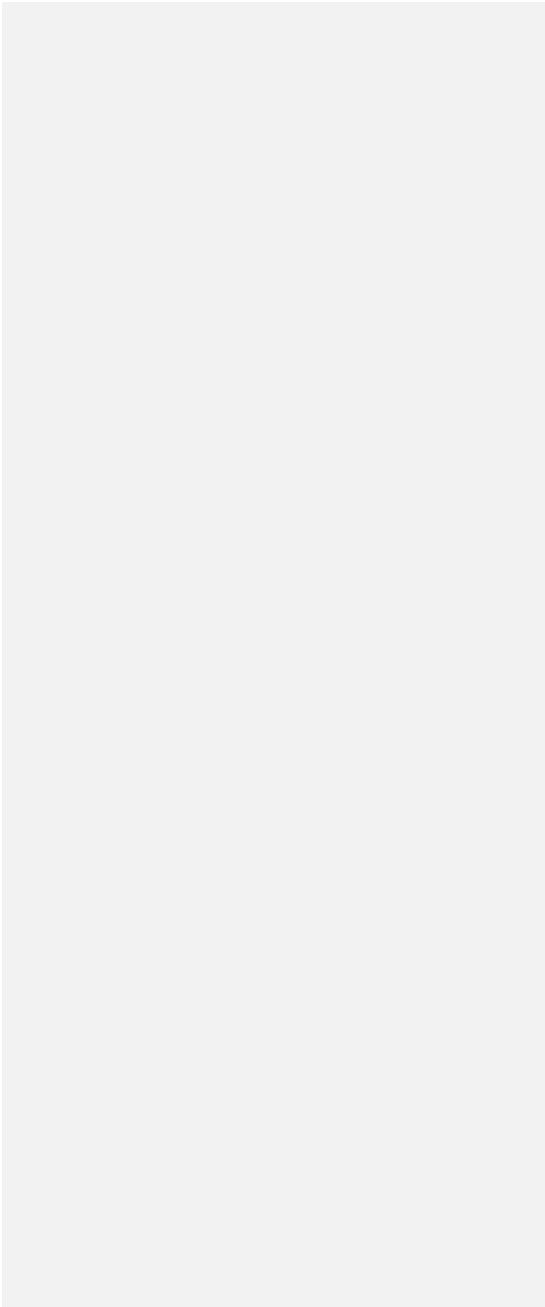
(13) When a reliable methodology is available, Member States shall assess the presence of groundwater ecosystems in groundwater bodies whose characteristics could support their existence and set, if such ecosystems are present, and in line with Article 3(1)(b), a stricter threshold value for this substance that is adequate to protect those ecosystems.

GWD Annex II - Part D – Council version, edits in TC

(1)	(2)	(3)	(4)	(5)	(6)
[Entry] N°	Name of substance	Category of substances	CAS number <sup>(1)</sup>	EU number <sup>(2)</sup>	Threshold value [µg/l unless otherwise indicated]

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±	Trichloroethylene and Tetrachloroethylene (sum of two)	Industrial substances	<del>79-01-6</del> and <del>127-18-4</del>	<del>201-167-4</del> and <del>204- 825-9</del>	10 (total) <sup>(2)</sup>
	Individual pharmaceutical active substances <sup>(4)</sup>	Pharmaceuticals			2,5 <sup>(5)</sup>



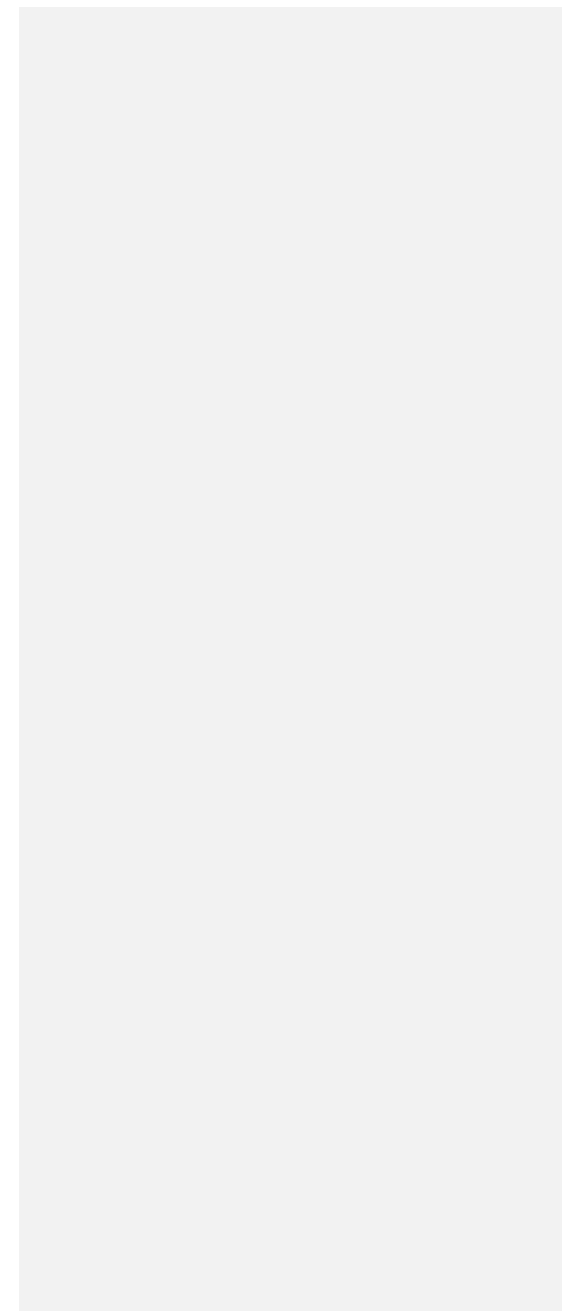
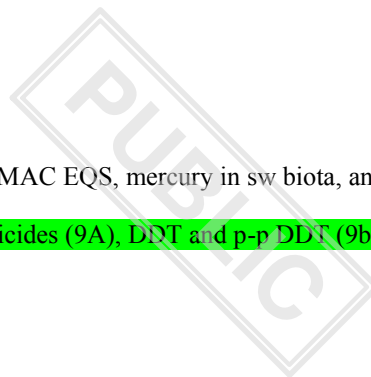
GWD Annex V

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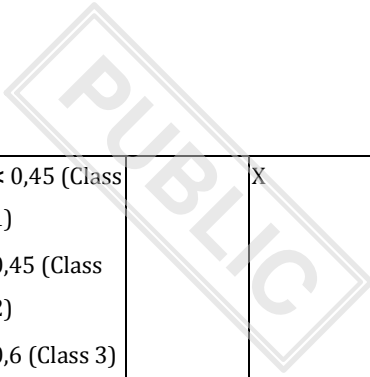
(1)	(2)	(3)	(4)	(5)	(6)
[Entry] N°	Name of substance	Category of substances	CAS number <sup>(1)</sup>	EU number <sup>(2)</sup>	Threshold value [µg/l unless otherwise indicated]
	Sum(s) of selected pharmaceuticals by mode of action	Pharmaceuticals			
	Sum of bisphenols	<b>Industrial substances</b>			

EQSD - Annex I – Council version – edits in TC – corrections still to be made as regards AA vs MAC EQS, mercury in sw biota, and footnotes.

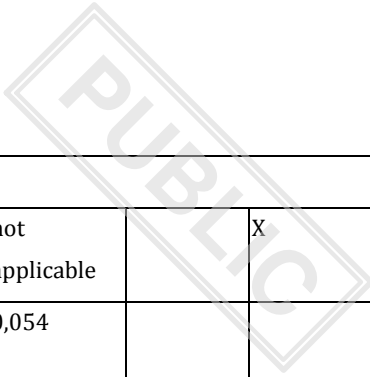
ES: Reluctance to include into Annex I of the EQSD: Atrazine (4), Benzene (5), Cyclodiene pesticides (9A), DDT and p-p DDT (9b), 1,2 Dichloroethane (10), Dichloromethane (11), and Isoproturon (19).



(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		X		X
(3)	<b>The substance Atrazine has been moved to Part C of Annex II. Atrazine to be reinstated. 0.1 in fresh water and 0.01 in salt water.</b>											
(4)	<b>The substance Benzene has been moved to Part C of Annex II. Benzene to be reinstated.</b>											
(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) <sup>(9)</sup>	Metals	7440-43-9	231-152-8	< 0,08 (Class 1) 0,08 (Class 2) 0,09 (Class 3) 0,15 (Class 4) 0,25 (Class 5)	0,2	< 0,45 (Class 1) 0,45 (Class 2) 0,6 (Class 3) 0,9 (Class 4) 1,5 (Class 5)	< 0,45 (Class 1) 0,45 (Class 2) 0,6 (Class 3) 0,9 (Class 4) 1,5 (Class 5)		X		X
(6a)	The substance Carbon tetrachloride has been moved to Part C of Annex II											
(7)	C <sub>10-13</sub> Chloroalkanes <sup>(10)</sup>	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 × 10 <sup>-4</sup>	4,6 × 10 <sup>-5</sup>	0,0026	5,2 × 10 <sup>-4</sup>		X	✗	X
(9a)	<b>The substance Cyclodiene pesticides has been moved to Part C of Annex II To be reinstated</b>											
(9b)	<b>The substances DDT and para-para-DDT have been moved to Part C of Annex II To be reinstated</b>											
(10)	<b>The substance 1,2-Dichloroethane has been moved to Part C of Annex II To be reinstated</b>											

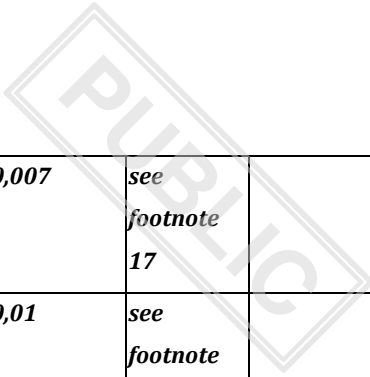


<b>(11)</b>	<b>The substance Dichloromethane has been moved to Part C of Annex II To be reinstated</b>											
(12)	Di(2-ethylhexyl)-phthalate (DEHP)	Industrial substances	117-81-7	204-211-0	1,3	1,3	not applicable	not applicable		X		X
(13)	Diuron	Pesticides - herbicides	330-54-1	206-354-4	0,049	0,0049	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	<del>20,1</del> <u>8 fw fish<sup>(32)</sup></u> <u>1 sw fish<sup>(32)</sup></u>	X		X
(17)	Hexachlorobutadiene	Industrial substances	87-68-3	201-765-5	<del><math>9 \times 10^{-4}</math></del> $9,5 \times 10^{-4}$	$9,5 \times 10^{-4}$	0,6	<del>0,6</del> <u>0,06</u>	21	X		X
(18)	Hexachlorocyclohexane	Pesticides - insecticides	608-73-1	210-168-9	0,02	0,002	0,04	0,02		X		X
<b>(19)</b>	<b>The substance Isoproturon has been moved to Part C of Annex II To be reinstated</b>											

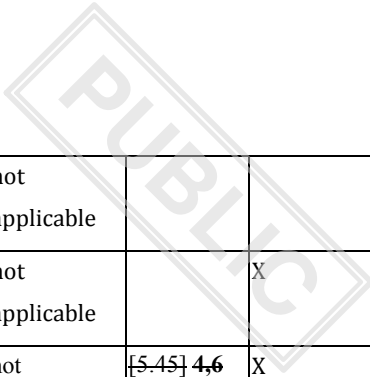
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(20)	Lead and its compounds	Metals	7439-92-1	231-100-4	1,2 <sup>(12)</sup>	1,3	14	14		X		X
(21)	Mercury and its compounds	Metals	7439-97-6	231-106-7			0,07	0,07	11	X	X	X
(22)	Naphthalene	Industrial substances	91-20-3	202-049-5	2	2	130	130				
(23)	Nickel and its compounds	Metals	7440-02-0	231-111-4	2 <sup>(12)</sup>	3,1	8,2	8,2				
(24)	Nonylphenols <sup>(14)</sup> (4-Nonylphenol)	Industrial substances	84852-15-3	284-325-5	0,037	0,0018	2,1	0,17		X		
(25)	Octylphenols <sup>(15)</sup> ((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) <sup>(16)</sup> <del>33</del>	Combustion products	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	Sum of Benzo(a)pyrene equivalents {0,6} <sup>(17)</sup>	X	X	X
	Benzo(a)pyrene		50-32-8	200-028-5			<del>0,27</del> <b>0,5</b>	<del>0,027</del> <b>0,05</b>	{0,6}			
	Benzo(b)fluoranthene		205-99-2	<b>205-911-9</b>			0,017	0,017	<i>see footnote 17</i>			
	Benzo(k)fluoranthene		207-08-9	<b>205-916-6</b>			0,017	0,017	<i>see footnote 17</i>			
	Benzo(g,h,i)perylene		191-24-2	<b>205-883-8</b>			8,2 × 10 <sup>-3</sup>	8,2 × 10 <sup>-4</sup>	<i>see footnote 17</i>			
	Indeno(1,2,3-cd)pyrene		193-39-5	<b>205-893-2</b>			<i>not applicable</i>	<i>not applicable</i>	<i>see footnote 17</i>			



	Chrysene		218-01-9	<b>205-923-4</b>			<b>0,07</b>	<b>0,007</b>	<i>see footnote 17</i>			
	Benzo(a)anthracene		56-55-3	<b>200-280-6</b>			<b>0,1</b>	<b>0,01</b>	<i>see footnote 17</i>			
	Dibenz(a,h)anthracene		53-70-3	<b>200-181-8</b>			<b>0,014</b>	<b>0,0014</b>	<i>see footnote 17</i>			
	<b><u>Fluoranthene</u></b>		<b><u>206-44-0</u></b>	<b><u>205-912-4</u></b>			<b><u>0,12</u></b>	<b><u>0,012</u></b>	<i>see footnote 17</i>			
(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 ( <sup>18</sup> ) ( <i>Tributyltin-cation</i> )	Biocides	36643-28-4	not applicable	0,0002	0,0002	0,0015	0,0015	<del>[1,3]</del> <b>1.6</b> ( <sup>19</sup> )	X	X	X
(31)	<b><u>The substance Trichlorobenzenes has been moved to Part C of Annex II</u></b>											



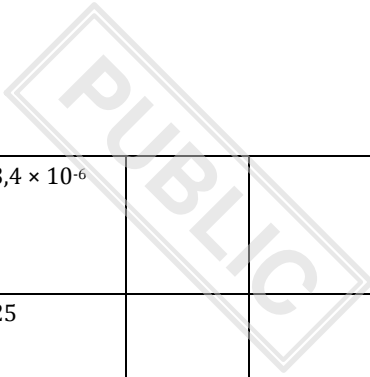
(32)	Trichloromethane	Industrial substances	67-66-3	200-663-8	2,5	2,5	not applicable	not applicable				
(33)	Trifluralin	Pesticides - herbicides	1582-09-8	216-428-8	0,03	0,03	not applicable	not applicable		X		
(34)	Dicofol	Organochlorine pesticides	115-32-2	204-082-0	<del>[4,45 × 10<sup>-3</sup>]</del>	<del>[0,185 × 10<sup>-3</sup>]</del>	not applicable <sup>(20)</sup>	not applicable <sup>(20)</sup>	<del>[5,45]</del> <b>4,6</b> <u>111<sub>fw</sub></u> <u>fish<sup>(32)</sup></u> <b>4,6<sub>sw</sub></b> <u>fish<sup>(32)</sup></u>	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 <b>polyfluoro</b> alkyl substances (PFAS) – sum of 24)							
(36)	Quinoxifen	Pesticides - fungicides	124495-18-7	not applicable	0,15	0,015	2,7	0,54		X		X

(37)	Dioxins and dioxin-like compounds <sup>(21)</sup> <del>(33)</del>	Industrial byproducts	not applicable	not applicable			<i>not applicable</i>	<i>not applicable</i>	Sum of PCDDs+ PCDFs+ PCB-DLs equivalents $\{3,5 \times 10^{-5}\}$ <sup>(22)</sup>	X	X	X
(38)	Aclonifen	Pesticides - herbicides	74070-46-5	277-704-1	0,12	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 <sup>(23,33)</sup>	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	$6 \times 10^{-4}$	$6 \times 10^{-5}$	$7 \times 10^{-4}$	$7 \times 10^{-5}$				

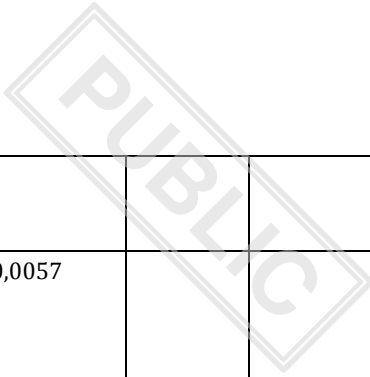
(43)	Hexabromocyclododecane (HBCDD) <sup>(24,33)</sup>	Industrial substances	See footnote 24	See footnote 24	$\{4,6 \times 10^{-4}\}$	$\{2 \times 10^{-5}\}$	0,5	0,05	$\frac{90}{\text{fw fish}}^{(32)}$ $\frac{3,5}{\text{sw fish}}^{(32)}$	X	X	X
(44)	Heptachlor and heptachlor epoxide	Organochlorine pesticides	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				

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(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	<u><math>1,7 \times 10^{-4}</math></u>	<u><math>1,7 \times 10^{-4}</math></u>	130	51	<u>0,025</u>	X		
(52)	Carbamazepine	Pharmaceuticals	298-46-4	206-062-7	2,5	0,25	$1,6 \times 10^3$	160				
(53)	Clarithromycin	Pharmaceuticals - macrolide antibiotics	81103-11-9	658-034-2	0,13	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 - insecticides	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 <sup>(25)</sup> 86,7 <sup>(26)</sup>	8,67	<b>not applicable</b> <sup>(25)</sup> 398,6 <sup>(26)</sup>	39,86					



(61)	Ibuprofen	Pharmaceuticals	15687-27-1	239-784-6	<del>0,22</del> <b>0,14</b>	<del>0,022</del> <b>0,014</b>						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 <b>polyfluoroalkyl</b> substances (PFAS) - sum of 25 <sup>(27)</sup> <del>(33)</del>	Industrial substances	not applicable	not applicable	Sum of PFOA equivalents 0,0044 <sup>(28)</sup>	Sum of PFOA equivalents 0,0044 <sup>(28)</sup>	not applicable	not applicable	Sum of PFOA equivalents 0,077 <sup>(28)</sup>	X	X	X
(66)	Silver	Metals	7440-22-4	231-131-3	0,01	0,006 (10‰ salinity) 0,17 (30‰ salinity)	0,022	not derived				

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(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	Biocides	3380-34-5	222-182-2	0,02	0,002	0,02	0,002				
(70)	Sum of active substances in the pesticides and biocides listed in this table <sup>(3)</sup> *	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. **EQSbiota for freshwater fish monitored in inland waters ; 'sw fish' indicates the EQSbiota for saltwater fish monitored in other surface waters** 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 CaCO<sub>3</sub>/l, Class 2: 40 to <50 mg CaCO<sub>3</sub>/l, Class 3: 50 to <100 mg CaCO<sub>3</sub>/l, Class 4: 100 to <200 mg CaCO<sub>3</sub>/l and Class 5: ≥200 mg CaCO<sub>3</sub>/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 ~~47~~ **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).

(<sup>19</sup>) Sediment EQS

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

(<sup>21</sup>) 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).

(<sup>22</sup>) 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.

(<sup>23</sup>) 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 ~~52315-07-8~~ **1315501-18-8**, EU 257-842-9).

(<sup>24</sup>) 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),  $\alpha$ -Hexabromocyclododecane (CAS 134237-50-6),  $\beta$ -Hexabromocyclododecane (CAS 134237-51-7) and  $\gamma$ - Hexabromocyclododecane (CAS 134237-52-8).

(<sup>25</sup>) For freshwater used for the abstraction and preparation of drinking water.

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

(<sup>27</sup>) 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), Perfluoroheptadecanoic 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)propanoate **acetic 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).

(<sup>28</sup>) 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.**

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

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

(<sup>32</sup>) ~~'fw fish' indicates the EQS<sub>biota</sub> for freshwater fish monitored in inland waters ; 'sw fish' indicates the EQS<sub>biota</sub> 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.

PUBLIC

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

<b>Name of substance</b>	<b>CAS number</b>	<b>EU number</b>
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





## ANNEX II: Synthetic substances

TEXT PROPOSALS amendments made by the Polish Presidency (steering note of 3 June 2025) have been accepted in the text below. New amendments in **yellow**

- 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 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 Article 3 is amended as follows: 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.;	No changes proposed by EP	Article 3 is amended as follows:  in paragraph 1, first subparagraph, the following point (c) is added (c) threshold values <b>for synthetic substances</b> established at Union level <del>in accordance with Article 8(3) and</del> listed in Part D of Annex II to this Directive.;	Article 3 is amended as follows:  in paragraph 1, first subparagraph, the following point (c) is added  '(c) threshold values established at Union level and listed in Part D of Annex II to this Directive.'



Line 156	No changes proposed	2. Threshold values referred to in paragraph 1, <del>point (b)</del> <b>points (b) and (c)</b> , may be established <b>or applied, respectively</b> , 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.  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 <b>Primidone</b> Trichloroethylene Tetrachloroethylene'
Part D Repository of harmonised threshold values for groundwater pollutants of national, regional or local concern		the following Part D is added:  'Part D  <b>Repository of harmonised threshold values for <u>synthetic substances in groundwater pollutants of national, regional or local concern</u></b>	Compromise proposal:  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.

(1)	(2)	(3)	(4)	(5)	(6)
[Entry] N°	Name of substance	Category of substances	CAS number <sup>(1)</sup>	EU number <sup>(2)</sup>	Threshold value

					[µg/l unless otherwise indicated]
	<b><u>Individual pharmaceutical active substances</u></b> <sup>(4)</sup>	<b><u>Pharmaceuticals</u></b>			<b><u>2,5</u></b> <sup>(5)</sup>

<sup>(1)</sup> CAS: Chemical Abstracts Service.

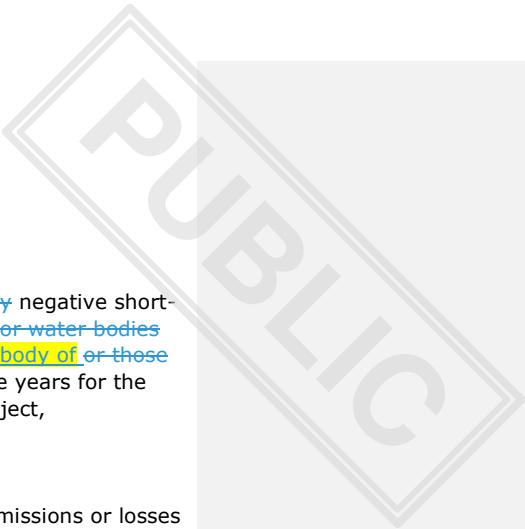
<sup>(2)</sup> EU number: European Inventory of Existing Commercial Substances (EINECS) or European List of Notified Chemical Substances (ELINCS).

<sup>(4)</sup> Pharmaceutical active substances as defined in directive 2001/83/EC and regulation (EU) 2019/6

<sup>(5)</sup> Member States shall apply this threshold value unless a standard or threshold value has been specifically set for the substance concerned at Union or national level. 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.

### **ANNEX III: Non-deterioration**

**Amendments to Council mandate in track changes and highlighted yellow**



#### **Article 4(7a)**

7a. Member States will not be in breach of this Directive ~~when any~~ if any negative short-term impacts on one or more quality elements of a ~~body of~~ water body ~~or water bodies~~ caused by a new project or a modification to an existing project in that ~~body of~~ ~~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 ~~is~~ ~~are~~ not the result of direct discharges, emissions or losses of a pollutant;
- b) the potential ~~for the negative~~ impacts ~~are to occur~~ ~~is reliably~~ assessed ex ante ~~by~~ ~~a competent authority~~, and ~~on this basis~~ it is concluded that there ~~would~~ be no negative impact for the concerned ~~body of~~ water ~~or any connected~~ ~~body of~~ water beyond one year, or beyond maximum three years for the biological quality elements.
- c) ~~an ex-post verification is carried out. To do so, existing monitoring arrangements set up pursuant to Annex V of this Directive may be used and where so required, these shall be supplemented by additional ad-hoc monitoring;~~
- d) ~~all~~ all practicable measures are taken to mitigate ~~any~~ ~~the~~ negative impacts on the ~~water~~ body ~~and any connected bodies of~~ ~~or~~ ~~water~~ ~~bodies~~;
- e) ~~a~~ a summary of the main activities carried out in line with the provisions of this Paragraph ~~the relevant ex post verification results~~, 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(7b)**

Preamble 14 d

(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 rendered the application of the non-deterioration principle of this Directive more challenging, in particular for projects with a temporary effect on waterbodies or projects requiring the relocation of water or sediments containing 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 water bodies without however causing an overall increase in pollution. In the case of projects causing temporary effects, it is essential to confirm that the negative impacts of the projects are no longer detectable after one year for what concerns chemical impacts and after three years for what concerns biological quality elements. To ascertain that the damages are no longer present, the Member States may use existing monitoring systems. However, the latter may not be sufficient, for instance in case of grouping of monitored water bodies, or if the affected quality elements are different from those considered most sensitive to regular pressures and impacts and thus not covered by regular monitoring programmes. In those cases, the ex-post verification should be done through supplementary and tailored monitoring.

In the case of projects that require the relocation of polluted water or sediments, 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 water or sediments containing ubiquitous Persistent Bioaccumulative and Toxic (PBT) substances, other substances present are also relocated. It is therefore not possible to focus solely on ubiquitous PBT substances. As far as possible, remediation measures should be taken to mitigate the adverse effects. Activities such as discharges of PFAS contaminated drainage water from construction works or the ~~displacement~~ relocation 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 protection of human health and the environment ambition of the Directive 2000/60/EC. Such safeguards include the necessity to take as far as possible remediation measures to mitigate the adverse effects. Activities like dumping of contaminants into the water body, including waste (with the exceptions included in the applicable Multilateral Agreements), contaminated soil and sewage sludge, ~~can~~ should not be allowed. The relocation of polluted water or sediment should not hamper the quality of drinking water resources, and a zone should therefore be established adjacent to any drinking water abstraction point where a stricter protection is needed. If Member States have already established safeguard zones under Article 7 of the Directive 2000/60/EU, or Article 8 of the Directive 2022/21/84, those zones may serve the purpose.

7b. Member States will not be in breach of this Directive when deterioration occurs in the status of a receiving body of surface water body as a result of relocating, by human activity, water or sediment by human activity within or between from the same or

**Commented [REDACTED]:** Justification for changing "displacement" for "relocation".

Displacement is a common (non-technical) term and does not have a clear definition. We suggest using the same term as in the Waste Directive 2008/98/EC: relocation. In Spanish, "reubicación" (a term defined in the Spanish dredging guidelines that encompasses the different permitted forms of management of dredged material at sea).

**Commented [REDACTED]:** Justification for including "(with the exceptions included in the applicable Multilateral Agreements)".

Dumping of waste is already prohibited by international agreements with exceptions (those exceptions include dredged materials, but not only). The text is not precise enough as it does not include the exceptions. The general statement "dumping of waste cannot be allowed" is not correct without mentioning the exceptions.

References:

• *OSPAR Convention Art.2*: "The Contracting Parties shall take, individually and jointly, all possible steps to prevent and eliminate pollution by dumping or incineration of wastes or other matter in accordance with the provisions of the Convention, in particular as provided for in Annex II".

Annex II:

1. "The dumping of all wastes or other matter is prohibited, except for those wastes or other matter listed in paragraphs 2 and 3 of this Article.

2. The list referred to in paragraph 1 of this Article is as follows:

(a) dredged material;

• *London Convention Art.4*: "Contracting Parties shall prohibit the dumping of any wastes or other matter with the exception of those listed in Annex 1.

Annex 1:

The following wastes or other matter are those that may be considered for dumping being mindful of the Objectives and General Obligations of this Protocol set out in articles 2 and 3:

1 dredged material;

....

• *UNEP/MAP Barcelona Convention, Dumping Protocol: Art. 4*:

1. The dumping of wastes or other matter, with the exception of those listed in paragraph 2 of this Article, is prohibited.

2. The following is the list referred to in the preceding paragraph:

(a) dredged material;

another body of surface water bodies, or from a body of groundwater body to the receiving body of a surface water body, without causing a net increase in pollutant load, and all the following conditions are met:

- a) all practicable steps measures, including in particular the treatment of the water or sediment if relevant and feasible to minimize the transfer of pollutant load, are taken to mitigate the adverse impacts on the status of the impacted bodies of 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 body of surface water body is confirmed as to already not being in be in less than good chemical status with respect to most a large proportion of the pollutants relocated, and in particular with respect to the most persistent and bioaccumulative pollutants relocated, and the ecological status or potential of the receiving body of water is not expected to fall into a lower class as a result of the relocation of those pollutants;

d) the relocation shall not result in an increase in the purification treatment required for the production of drinking water;

e) within the receiving body of water, a zone where relocation shall be prohibited, is established around any abstraction point for water intended for human consumption;

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 authorization;

h) a summary, the details, including information related to criteria a) to g) the reasons for the relocation, are set out and explained in the river basin management plan required under Article 13 of this Directive.

## COMMENTS FROM FINLAND

### **Finland's written comments on the clusters of issues discusses on the WPE on the 2<sup>nd</sup> of July 2025**

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.

#### Substances

Finland supports the compromise text concerning the sum of the pharmaceuticals with a closed list of active substances, which is better than the total value.

We can be flexible on the new provision of mandatory effect-base monitoring of estrogenic pharmaceuticals.

We can be flexible to add substances to the new annexes (III ja V) on both surface and groundwater directives to be taken into account in the next review the directives.

We can also support the presidency on the compromise on quality standards of PFAS -substances and the inclusion of the fifth substance, TFA (trifluoroacetic acid) into the list. We see important that the quality standards in these directives and the quality standard in the drinking water directive are harmonized in the near future. We can support the compromise text concerning the PFAS -compromise including the sum of 25 PFAS (24 PFAS + TFA) in the environmental quality directive. However, Finland is concerned about the increasing monitoring cost. For the TFA concentrations a different analysis method than for the other PFAS compounds has to be used. In practice this means using two different laboratory methods for assessing the sum value of PFAS.

Finland can support the presidency compromise proposal on the list of substances to be kept deselected. Finland would like to stress that the frequency for monitoring can be extended to up to every 18 years. This means that for the next River Basin Management Plan there should be a lot of monitoring of priority substances. Firstly, there should be monitoring of old substances to justify that there is no need for continuous monitoring.

Secondly the new substances and the substances with lowered EQS values should be monitored to ensure the concentrations in both surface and groundwaters.

#### Horizontal issues

For us, it is utterly important the definition of non-deterioration is exactly in line with the Weser-ruling.

Finland supports in general the compromise text on the exemptions. We see that these proposed exemptions 4.7a and 4.7b are needed to find synergies with different environmental and societal objectives and needs, e.g. nature restoration, soil remediation, flood protection or projects enhancing green transition.

The exemption 7a) is needed for allowing projects with short term temporary impacts to the status of waters. Examples of this kind of projects are projects related to the implementation of the EU Nature Restoration Law, such as dam removal, which can cause sediment transport and release of priority substances from the sediment, and thus temporarily impact the status of waters. Another example would be all kind of construction works, where groundwater level is lowered temporarily, or the construction is situated in a water body such as offshore wind power facilities.

The exemption 7b) is needed for allowing exemption on chemical status, which is not included in the current directive. The proposed exemption is limited only to relocation of existing pollution in water or sediment. Examples of this kind of projects are for example pump storage hydropower facilities where water, including the ubiquitous (persistent and widespread) substances, is pumped to the upper storage reservoir, when electricity is cheap and run down to lower reservoir, when grid balancing production is needed.

Again, all kind construction work or remediation may require lowering the ground water level and pumping the ground water into a surface water body.

Third example could be dredging of water bodies for example for flood protection and moving sediment with ubiquitous substances into another location.

#### Compliance and timelines cluster

The deadlines set should be harmonised to the 6-years River Basin Management cycle of the Directives. It is important that there is enough time for the make inventory of the emissions and adjust the monitoring programmes or launch monitoring campaigns for mapping the concentrations in the water bodies. This will take time in countries like Finland with over 10 000 water bodies.

For Finland, it is essential that the deadlines set for achieving the good status of waters and for the transposition into national law will be in accordance with the Council's general approach and those deadlines should be maintained in further negotiations. We find it important that the timetable of implementation is harmonized with the River Basin Management 6 years cycle.

The ambition to reach good status of the water bodies should not be forgotten. However, the deadlines to achieve good chemical status should be realistic and there should be a possibility to be able to use all exemptions for the revised EQS value and for newly added substances, both for surface and groundwaters.

Therefore, Finland prefers the option of *mutatis mutandis* over the fixed deadlines.

We see that it is utter important that *mutatis mutandis* is included and all the exemptions, including time extensions in line with the WFD article 4.4. (two times six years) are possible for new substances and substances with revised EQS-values. It is utterly important that the same exemptions are possible to apply to groundwaters as well. The recovery of groundwater may even need longer time than the surface waters to achieve good chemical status.

Finland is in favor of the Council mandate amending the article 3 paragraph 1a) of the EQS directive, so that a new subparagraph is added to the end including the newly added and revised substances: **Article 4(4) to (9) of Directive 2000/60/EC shall apply *mutatis mutandis* to the substances and river basin specific pollutants listed in points (i), to (v).**”; Similar paragraph should be added to the groundwater directive.

For substances with revised EQS values we can accept the compliance deadlines proposed in the compromise. For newly added substances the compliance deadline 2039 is acceptable, but the compromise should include *mutatis mutandis* -clause and time extension for two River Basin Management cycles.

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We find that the Preliminary programme of measure causes extra administrative burden, but we can be flexible on this issue.

We find that the compromise proposal is acceptable concerning the transposition time.

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PUBLIC

**NOTE DES AUTORITÉS FRANÇAISES**

**Objet : Commentaires des autorités françaises à la suite du groupe de travail du Conseil du 2 juillet 2025 portant sur la proposition de révision du Paquet eau relatif à la directive 2000/60/CE établissant un cadre pour une politique communautaire dans le domaine de l'eau et ses deux directives filles**

Les autorités françaises remercient la Présidence d'avoir organisé un groupe de travail environnement le 2 juillet, sur la proposition de révision du « Paquet eau » qui vient modifier la directive-cadre sur l'eau (DCE) et deux de ses directives-filles (directive 2008/105/CE relative aux normes de qualité environnementale (NQE) et directive 2006/118/CE sur la protection des eaux souterraines contre la pollution et la détérioration).

Elles souhaitent apporter des éléments de réponses additionnels.

- Concernant la conformité et la prise en compte des nouvelles substances et des nouvelles valeurs seuil : les autorités françaises **soutiennent la proposition** qui définit l'atteinte du bon état pour les substances dont les valeurs seuils ont été révisées à 2033, pour les nouvelles substances à 2039, et dès le prochain cycle complet (soit 2033) pour les polluants spécifiques de bassin. Elles soutiennent en conséquence la proposition visant à inclure les substances dont les valeurs seuils ont été révisées dans le programme de mesures de 2027, et à inclure les nouvelles substances dans un programme de mesures préliminaire dès 2030. Ces dates permettent de maintenir un degré raisonnable de visibilité sur l'atteinte du bon état.
- Concernant la clause Mutatis Mutandis : les autorités françaises **souhaitent maintenir la proposition du Conseil**, qui fixe à deux cycles les possibilités de report d'atteinte du bon état pour les substances dont les valeurs seuils ont été modifiées et pour les polluants spécifiques de bassin (soit 2045 au plus tard), ainsi que pour les nouvelles substances (soit 2051 au plus tard).
- Concernant les substances pharmaceutiques et les PFAS : les autorités françaises **soutiennent la proposition** visant à fixer à 2045 la date d'échéance pour l'atteinte de la conformité pour ces substances, en cohérence avec la DERU2. En conséquence, elles proposent de les inclure dans le programme de mesures 2034-2039.
- Concernant les pesticides, les substances industrielles, le bisphénol et le métal : les autorités françaises **soutiennent la proposition** visant à fixer à 2039 la date d'échéance pour l'atteinte de la conformité pour ces substances. En conséquence, elles proposent de les inclure dans le programme de mesures 2028-2033.

- Sur la transposition : La France **souhaite maintenir la position du Conseil** qui fixe à 24 mois le délai de transposition. Elle soutient donc la date proposée du 22 décembre 2027 au plus tard, à la condition que la révision de l'ensemble des textes ait abouti d'ici la fin 2025.

### Traduction de courtoisie

**Subject: Proposal for revision of the water package - Written comments from the French authorities on the water framework directive 2000/60/EC and her two so-called daughters directives following the working party on environment on 2 July 2025.**

The French authorities thank the Presidency for organising the Environment Working Party on 2 July, on the proposal to revise the "Water Package", which amends the Water Framework Directive (WFD) and two of its daughter directives (Directive 2008/105/EC on environmental quality standards (EQS) and Directive 2006/118/EC on the protection of groundwater against pollution and deterioration).

They would like to provide additional comments:

- **On compliance and the consideration of new substances and revised threshold values:** The French authorities support the proposal that defines the achievement of good status by 2033 for substances with revised threshold values, by 2039 for new substances, and by the next full cycle (i.e. 2033) for river basin-specific pollutants. Accordingly, they support the inclusion of substances with revised threshold values in the 2027 programme of measures, and the inclusion of new substances in a preliminary programme of measures from 2030 onwards. These dates provide a reasonable level of visibility regarding the achievement of good status.
- **On the *Mutatis Mutandis* clause:** The French authorities wish to maintain the Council's proposal to allow for two cycles of postponement for achieving good status for substances with revised threshold values and river basin-specific pollutants (i.e. by 2045 at the latest), as well as for new substances (i.e. by 2051 at the latest).
- **On pharmaceutical substances and PFAS:** The French authorities support the proposal to set 2045 as the compliance deadline for these substances, in line with the revised Urban Wastewater Treatment Directive (UWWTD2). Accordingly, they propose to include them in the 2034–2039 programme of measures.
- **On pesticides, industrial substances, bisphenol and metals:** The French authorities support the proposal to set 2039 as the compliance deadline for these substances. Accordingly, they propose to include them in the 2028–2033 programme of measures.
- **On transposition:** France wishes to maintain the Council's position setting the transposition period at 24 months. It therefore supports the proposed deadline of 22 December 2027 at the latest, on the condition that the revision of all relevant texts is finalised by the end of 2025.

## **COMMENTS FROM ITALY**

### **Priority Substances in Water: Follow-up to the WPE on 2 July 2025 – Presidency Presentation and CALL FOR COMMENTS**

#### **1. Substances cluster**

##### **Pharmaceutical substances and effect-based monitoring**

###### **FLEXIBILITY**

Regarding groundwater: About QS for the single pharmaceutical (Carbamazepin, Sulfamethoxazole, Primidone) substances in annex I and for individual pharmaceutical active substances in annex II part D, Italy thinks that 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. However Italy is flexible about presidency's proposal

About sum of pharmaceutical substances, 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. However, Italy agrees with the DK Presidency proposal to place sum of pharmaceuticals in a new Annex V to Directive 2006/118/EC as a holding place for a next review. Italy agrees also, as a part of the compromise, with the DK Presidency proposal to give mandate to the Commission to consider setting standards for the sum(s) of selected pharmaceuticals, based on mode of action, in a next review, by the re-introduction of Annex III to Directive 2008/105/EC as a holding place. Furthermore, we show flexibility also for the proposal concerning the definition of a standard for the total of pharmaceutical by the Commission, supported by appropriate monitoring methods.

Finally, Italy supports the proposal regarding the mandatory use of effect-based methods (EBM) for monitoring the presence of three estrogenic substances in surface water bodies (7- $\beta$  estradiol (E2), estrone (E1), and  $\alpha$ -ethinylestradiol (EE2)). 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 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. It is crucial 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.

##### **Pesticides**

###### **FLEXIBILITY**

Italy agrees with presidency 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 favour 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 does not support the proposal to introduce an EQS for the sum of pesticides already included in Annex I of the EQSD. However, we are in favour of setting an EQS for the sum(s) of selected pesticides by mode of action. 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.

Regarding groundwater, the DK Presidency proposal suggests raising the QS for non-relevant metabolites of pesticides up to 12,5 µg/L to create more flexibility for Member States. Italy doesn't agree with this cumulative limit since is not toxicological-based and it is not clear its derivation.

## **Bisphenols**

### **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 the 'Sum of Bisphenols' for superficial waters and groundwater. However, IT does not support the provision to setting an EQS for the total of Bisphenols since there are not available analytical methods. For groundwater it should be supported by an appropriate monitoring method for the upcoming review regarding.

## **PFAS including TFA**

Italy acknowledges and appreciates the Danish Presidency's efforts in advancing the revised compromise proposals on PFAS and TFA.

However, we would like to express a significant concern regarding the additional QS proposed for GW, expressed as the sum of 4 PFAS + TFA and calculated as PFOA equivalents using RPFs. While we acknowledge the efforts made towards harmonization between GW and DW legislation through the alignment of the QS for the sum of 20 PFAS in GW, this newly introduced approach appears to be inconsistent with that objective. The use of diverging criteria or aggregation methodologies across water-related legislation at this stage may compromise the overall coherence and comparability of the regulatory framework. This is particularly relevant considering that the WHO is currently leading a re-evaluation process expected to result in revised PFAS groupings and updated health-based guideline values, grounded in the latest toxicological and environmental evidence. In light of the above, we suggest that any revision of the GW Directive should remain fully aligned with the evolving framework for DW and avoid the premature adoption of methodological approaches that may not reflect future harmonized practices.

We express strong reservations regarding the inclusion of TFA both in the summation of PFAS and in the group of relevant pesticide metabolites. Such a classification would imply the concurrent application of two distinct

regulatory standards for the same substance, depending on the presumed source, which is operationally unsustainable.

IT therefore recommends for GW:

- Removing TFA from the list of relevant pesticide metabolites;
- Establishing a distinct and scientifically justified quality standard for TFA as a stand-alone parameter, taking into account its diverse sources and environmental behaviour;
- Excluding TFA from the aggregated PFAS sum used for regulatory purposes in GW.

Regarding the Sum of 24 for Surface water (24 PFAS + TFA) to include in Annex I to Directive 2008/105 with a quality standard of 0,0044 µg/L in PFOA equivalents (relative potency factor, RPF, equal to 0.002, as found by the Dutch National Institute for Public Health and the Environment), Italy agrees. Furthermore, the inclusion of TFA in the sum of 24 PFAS for surface water is in line with the Scientific Opinion on "Draft Environmental Quality Standards for PFAS total under the Water Framework Directive", published by the Scientific Committee on Health, Environmental and Emerging Risks (SCHEER) of the European Commission, this past 7 April.

### **Synthetic substances**

Italy agrees with the proposal.

### **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).

#### **1. Questions for Delegations:**

- **Can you show flexibility to the revised compromise package on substances?**
- **If not, where do you see any major potential concerns and red lines?**

**In a spirit of compromise, we confirm our flexibility on cluster 1 on substances proposed by the Presidency, but we express scrutiny reservation about the inclusion of TFA to the sum of 4 PFAS EFSA in GW.**

#### **2. Horizontal issues**

##### **Question for Delegations:**

- **Can you accept the revised text on the non-deterioration exemptions?**

**In general, the Danish proposal does not substantially change the previous proposal and is therefore equally unacceptable. In essence, what is proposed is either already well provided for by the Water Directive, or is totally unfounded and inconsistent with the rest of the directive. The amendment introduces details that should be the subject of national regulations on EIA and not of a European directive and in doing so creates a great deal of interpretative confusion.**

**THE solution that is proposed is to work on a technical document in the context of the Common Implementation Strategy of the Water Directive and not to change a consolidated and clear text.**

**The specific comments are contained in the annex below.**

### **3. Compliance and timelines cluster**

**Mutatis Mutandis option (based on Council mandate and 2013 Directive)**

**Fixed dates with differentiated approach**

**Reflections on transposition**

**In general, Italy agrees with the proposal of the Presidency regarding the compliance and timelines cluster, however IT expresses some reservations about the fixed dates with differentiated approach for the new Pharmaceuticals and PFAS (extended up to 2045), considering that those are the substances causing the highest concern at European level. Italy would welcome the opportunity to further discuss this specific aspect in upcoming technical meetings, also with a view to clarifying the link with the UWWTD.**

## ANNEX III: Non-deterioration

### Amendments to Council mandate in track changes and highlighted yellow

#### Article 4(7a)

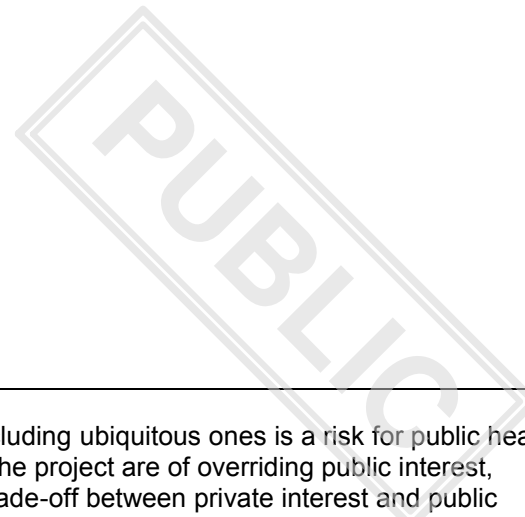
Proposal	Italian comments
<p>7a. Member States will not be in breach of this Directive <b>when any</b> <del>if any</del> negative short-term impacts on one or more quality elements of a <b>body of water</b> <del>body or water bodies</del> caused by a new project or a modification to an existing project in that body of 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,</p>	<p><i>New project or modification to an existing project</i> refer to movement of water and/or sediments within or between water bodies that could also be contaminated. Introducing in 7a the terms " <i>New project</i>" or "<i>modification to an existing project</i>" is not necessary, because the activities involving movement of water and/or sediments within or between water bodies that could also be contaminated are already included in the text of old art. 4.7 as "<i>new modifications in the physical characteristics of a surface water body or alterations to the levels of bodies of groundwater</i>" or, also as "<i>new sustainable human development activities</i>".</p>
<p>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:</p>	<p>It's up to MS to evaluate the likelihood of deterioration due to human activities. Therefore, if you deem that an activity has only a short-term effect without lasting consequences - meaning <i>no deterioration</i>, there is no need of amendments to WFD. The effect, negative and short or long term of a certain pressure on a water body is very site-specific and has to be evaluated ex-ante by the competent authorities in the MS. The proposal is simplistic and the underpinning assumption is not scientifically funded. It has to be highlighted that in order to have a sound assessment, the water body segmentation has to be representative as well as the monitoring stations (e.g. far from the mixing zone).</p>
<p>a) the negative impacts <b>is are</b> not the result of direct discharges, emissions or losses of a pollutant;</p>	<p>Indeed, the effect of a physical modification such as removal of polluted water or sediments, is the contamination of the receiving water bodies. Therefore, in any case art 4.7 applies and there is no need of amending it.</p>
<p>b) the potential <b>for the negative impacts are to occur is reliably</b> assessed ex ante <b>by a competent authority</b>, and <del>on this basis</del> it is concluded that there would be no negative impact for the concerned <b>body of water or any connected body of water</b> beyond one year, or beyond maximum three years for the biological quality elements</p>	<p>This is already occurring, it's in the core of the Directive. The simplistic proposal to define a negative short term effect is not acceptable for the reasons above explained.</p>
<p>c) <b>an ex-post verification is carried out. To do so, existing monitoring arrangements set up pursuant to Annex V of this Directive may be used and where so required, these shall be supplemented by additional ad-hoc monitoring;</b></p>	<p>This is already occurring, it's in the core of the Directive and in the practice adopted in the national legislation.</p>

e)d) all practicable measures are taken to mitigate <del>any</del> the negative impacts on the <del>water-body</del> <del>and</del> <del>any connected bodies of</del> <del>or-water bodies</del> ;	This is similar to lett. (a) of art. 4.7 and anyway already envisaged.
d)e) a summary of the main activities carried out in line with the provisions of this Paragraph, <del>the</del> <del>relevant ex post verification results</del> , and the measures taken to mitigate negative impacts is included in the river basin management plans required under Article 13 of this Directive;	This reduces what has to be reported according to letter b of art. 4.7

It is not clear why the requirements of art. 4.7 lett. c) and d) (overriding public interest, trade-offs, alternatives etc.) are not included for these additions to art. 4.7. In this way, there would be a distortion of competition between activities in art. 4.7 and these additional ones, which are not at all evaluated in terms of public interest.

Preamble 14 d

<p>(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 rendered the application of the non-deterioration principle of this Directive more challenging, in particular for projects with a temporary effect on waterbodies or projects requiring the relocation of water or sediments containing pollutants. <del>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.</del></p>	<p>We do not agree on such statement and we deem it not appropriate as a preable in a directive and it only refers to some MS.</p> <p>If the effect is temporary, WFD and the relevant sentences of ECJ already cover this case. Art. 4 envisages such events and national legislation downscales EU principles into rules for permits and so on. It is not up to an EU directive to go in such local details. With the proposal, we think that the administrative burden will indeed increase a lot.</p>
<p><del>This is especially the case if short term effects of activities occur or if pollutants are relocated within or between water bodies without however causing an overall increase in pollution.</del></p>	
<p>In the case of projects causing temporary effects, it is essential to confirm that the negative impacts of the projects are no longer detectable after one year for what concerns chemical impacts and after three years for what concerns biological quality elements</p>	<p><i>See comments to art. 7a</i></p>
<p>To ascertain that the damages are no longer present, the Member States may use existing monitoring systems. However, the latter may not be sufficient, for instance in case of grouping of monitored water bodies, or if the affected quality elements are different from those considered most sensitive to regular pressures and impacts and thus not covered by regular monitoring programmes. In those cases, the ex-post verification should be done through supplementary and tailored monitoring.</p>	<p>First of all, the WFD obliges operational and investigative monitoring in such cases, it is not a novelty. Moreover, in the case of relocations and so on, before carrying it out, monitoring in the relevant water body should be done in order to evaluate the baseline of pollutants and in general the ex-ante conditions. WFD monitoring rationale is not very well understood and the level of WFD is mixed with that of local EIA evaluations.</p>
<p><del>In the case of projects that require the relocation of polluted water or sediments 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.</del></p>	<p>The overall pollution mass balance between water bodies is not admissible in WFD. Pollutants are relocated if water and sediments are; the effect of a physical modification such as removal of polluted water or sediments, is the contamination of the receiving water bodies. Therefore, in any case art 4.7 applies and there is no need of amending it.</p>
<p><del>When relocating water or sediments containing ubiquitous Persistent Bioaccumulative and Toxic (PBT) substances, other substances present are also relocated. It is therefore not possible to focus solely on ubiquitous PBT substances. As far as possible, remediation measures should be taken to mitigate the adverse effects.</del> Activities such as discharges 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 protection of human health and the environment <del>ambition</del> of the Directive 2000/60/EC. Such safeguards include the necessity to take as far as possible remediation measures to mitigate the adverse effects. Activities like dumping</p>	<p>Not acceptable. This goes against the precaution and prevention principle and such cases should be evaluated on a single basis through national provisions on permits. The envisaged safeguards seem to be watering those already included in art. 4.7.</p>

<p>of contaminants into the water body, including waste, contaminated soil and sewage sludge, should not be allowed. The relocation of polluted water or sediment should not hamper the quality of drinking water resources, and a zone should therefore be established adjacent to any drinking water abstraction point where a stricter protection is needed. If Member States have already established safeguard zones under Article 7 of the Directive 2000/60/EU, or Article 8 of the Directive 2022/21/84, those zones may serve the purpose.</p>	
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Contamination of public water with hazardous substances including ubiquitous ones is a risk for public health and the environment, so derogation can only be accessed if the project are of overriding public interest, these are basic principles of environmental legislation. The trade-off between private interest and public interest (good resources for future generations) is at the basis of WFD.

Let's remember that art. 1 of WFD states " The purpose of this Directive is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater which: (a) prevents further deterioration and protects and enhances the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands directly depending on the aquatic ecosystems; (b) promotes sustainable water use based on a long-term protection of available water resources; (c) aims at enhanced protection and improvement of the aquatic environment, inter alia, through specific measures for the **progressive reduction of discharges, emissions and losses of priority substances and the cessation or phasing-out of discharges, emissions and losses of the priority hazardous substances**; (d) ensures the **progressive reduction of pollution of groundwater and prevents its further pollution**, and (e) contributes to mitigating the effects of floods and droughts

<p>7b. Member States will not be in breach of this Directive when deterioration occurs in the status of a <b>receiving body of surface water body</b> as a result of relocating, <b>by human activity</b>, water or sediment <b>by human activity within or between from the same or another body of surface water bodies</b>, or from a body of groundwater <b>body</b> to <b>the receiving body of a surface water body</b>, without causing a net increase in <b>pollutant load</b> <del>in</del>, and all the following conditions are met:</p>	<p>Not acceptable. The overall pollution mass balance between water bodies is not admissible in WFD.</p>
<p>a) all practicable steps measures, including <b>in particular</b> the treatment of the water or sediment if <b>relevant and feasible to minimize the transfer of pollutant load</b>, are taken to mitigate the adverse impacts on the status of the <b>impacted bodies of water</b> <del>body or water bodies</del>;</p>	<p>This is a bad downscaling of art. 4.7 letter a) requirements. Again, art. 4.7 solves this. The particulars should be part of national regulation on permits.</p>
<p>b) the composition of the relocated water or sediments is established, and the relocation does not <b>significantly</b> increase the overall risk to human health and the environment compared to the existing risk prior to the relocation;</p>	<p>Not acceptable. WFD refers to water bodies.</p>
<p>c) the receiving body of surface water <del>body</del> is confirmed as <del>to already</del> <b>not being in</b> <del>be in less than</del> good chemical status with respect to most a large proportion of the pollutants relocated, <b>and in particular</b> with respect to the most persistent and bioaccumulative pollutants relocated, and the ecological status or potential of the receiving body of water is not expected to fall into a lower class as <b>a result of the relocation of those pollutants</b>;</p>	<p>Not acceptable. Simplistic and qualitative new terms which will create only confusion in interpretation. What is "most of large proportion"?</p>
<p>d) <b>the relocation shall not result in an increase in the purification treatment required for the production of drinking water</b>;</p>	<p>This cannot be stated a priori and is already envisaged by European legislation.</p>
<p>e) <b>within the receiving body of water, a zone where relocation shall be prohibited, is established around any abstraction point for water intended for human consumption</b>;</p>	<p>This is already envisaged by European legislation</p>
<p>d)f) there are no significantly better environmental options for reasons of technical feasibility or disproportionate cost;</p>	<p>This is already envisaged by art 4.7. It is not clear why the requirements of art. 4.7 lett. c) (overriding public interest, trade-offs, etc.) are not included for these additions to art. 4.7. In this way, there would be a distortion of competition between activities in art. 4.7 and these additional ones, which are not at all evaluated in terms of public interest.</p>
<p>e)g) the relocation is subject to prior regulation or authorization;</p>	<p>This is envisaged in any national legislation, so it is not a novelty</p>
<p>f)h) a summary, <del>the details</del>, including <b>information related to criteria a) to g)</b> the reasons, for the relocation, are set out and explained in the river</p>	<p>This reduces what has to be reported according to letter b of art. 4.7</p>

basin management plan required under Article 13 of this Directive.

PUBLIC

**Objet : Priority Substances in Water Directive: WPE on 2 July 2025**  
**Comments from Luxembourg following the Presidency Steering Note**

### 1. Substances Cluster

#### Can you show flexibility to the revised compromise package on substances?

Luxembourg can demonstrate flexibility, **except for the existing proposals for TFA, which we refuse to accept**. We believe that, given the molecular properties of TFA, different limit values from those for other PFAS should be implemented.

#### If not, where do you see any major potential concerns and red lines?

According to Luxembourg TFA must be considered as a priority substance. This is due to its widespread presence in groundwater, surface water and drinking water. Luxembourg thinks that an EU-wide harmonized approach is necessary. However, Luxembourg doesn't not agree with the approach (groundwater/surface water) currently proposed. Although studies carried out in Luxembourg and Germany show that the origins of TFA in groundwater may well be linked to a certain extent to the use of pesticides, other routes of transfer to groundwater such as the atmospheric deposition due to the washout of cooling gases also play a major role. It must therefore be considered that TFA from atmospheric deposits reaches groundwater either through direct infiltration from precipitation or through leaching of the substance accumulated in organic fertilizers spread on agricultural land. In our opinion, considering TFA as a relevant metabolite with a limit value of 0.1 µg/l and, on the other hand, as part of 4 PFAS is an inconsistent approach.

We propose that TFA be considered as a parameter independent of other PFAS.

The example of Luxembourg highlights the disastrous consequences that an insufficiently researched approach could have.

In Luxembourg, drinking water comes from around 300 groundwater abstraction points (50% of drinking water resources) and an artificial surface water dam.

The Water Management Agency recently carried out an **exhaustive** national TFA measurement campaign in **all** drinking water networks of Luxembourg. In only 1% of the drinking water networks, concentrations below 0.1µg/l (drinking water limit for relevant metabolites) were measured.

The median concentration of all drinking water networks was 0.79 µg/l, which is in the same order of magnitude as the TFA concentrations measured in rainwater in Germany (estimates in Luxembourg are similar), which lies between 0,4 and 0,8µg/l. The highest concentration measured in this campaign in a drinking water network was 1.6 µg/l. The current maximum concentration measured in groundwater lies around 4,5 µg/l.

If TFA were to be considered a relevant metabolite, the nationwide remedial measures that would then be necessary would jeopardize the national drinking water supply, without any real risk to human health having been demonstrated. In fact, the treatment of all drinking water by reverse osmosis would cause water losses in an order of magnitude of 25%, spare quantities that Luxembourg doesn't dispose of. Will be added the disposal of the concentrates generated by the treatment plants jeopardizing the status of the surface waters, the huge energy demand and the disproportionate costs generated. Declaring TFA as a relevant metabolite in groundwater based on studies carried out at the time in relation to reprotoxicity would necessarily lead to to the fact that TFA would have to be considered a relevant metabolite in drinking water as well with the sole possibility to grant a derogation for maximum 6 years and then treat the water by reverse osmosis with the consequences

described above. A consideration as a relevant metabolite in groundwater and a non relevant metabolite in drinking water with the given argumentation would not be cohesive and lead to a complete loss of confidence of the public in drinking water standards.

The current approach is not understandable and cannot be communicated to the general public. It risks having catastrophic consequences for Luxembourg in terms of securing the drinking water supply and creating irreversible and potentially unjustified mistrust of tap water. We doubt that Luxembourg is the only country to find itself in such a situation. An EU-wide harmonized and consistent approach is necessary.

Regarding the limit value for TFA, we would like to point out that a range of studies are currently underway (EFSA, WHO). To our knowledge, the guideline values for drinking water vary between 2.2 and 60 µg/l depending on the Member State. In Luxembourg, we have currently set a guideline value of 12 µg/l based on the acceptable daily intake for infants. **We believe it is essential to wait for the results of the ongoing studies before setting scientifically based standards.**

What worries Luxembourg is that the WHO currently does not consider it a priority at this stage to carry out additional assessments for TFA, particularly given its low occurrence in water<sup>1</sup>. The results of a large-scale campaign conducted in Luxembourg prove quite the opposite. We propose the creation of a platform where reliable analysis results available to Member States could be gathered.

## **2. Horizontal issues**

**Can you accept the revised text on the non-deterioration exemptions?**

Yes

## **3. Compliance and timelines cluster**

**If possible, which parts of the compliance cluster are the most important to you (timelines, transposition, mutatis mutandis...)?**

Luxembourg has no priorities in this regard. The most important thing is that, if new substances are detected, steps are taken quickly and consistently to establish a regulatory framework. However, sufficient time must be allowed for the implementation of accredited testing methods and justifiable and comprehensible threshold values.

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<sup>1</sup> Presentation of preliminary results of the study 'WHO Initiatives to Evaluate PFAS (phase 1)' dated 12 June 2025 at the 18<sup>th</sup> Drinking Water Expert Meeting.

## COMMENTS FROM HUNGARY

### Hungarian position as a follow up of the WPE on 2 July, 2025

#### Priority substances in water

#### 1. Substance cluster

##### a) PFAS

We can accept the PRES compromise to add TFA to the PFAS 4 in groundwater and to PFAS 24 in surface water. The RPF need to be taken into account when setting the EQS.

This is a relatively flexible system, because if there is an excess of one component, it compensates for the lack of another.

In a long term, it is necessary to develop a unified set of PFAS components for long-term impact assessment for surface water, groundwater, drinking water, and wastewater—rather than using the current PFAS24 and PFAS20 lists.

##### b) Pesticides

With regard to the list of **non-relevant metabolites of pesticides** to be established by the Commission for the Groundwater Directive, we are in favour of maintaining the deadline of 6 months as MSs need information as soon as possible for proper implementation. If needed, we can offer some flexibility, but the new deadline should not jeopardize the MSs ability to implement the new obligations.

With regard to the EQS for **sum of pesticides** we are critical. The pesticides are diverse substances, examining the sum of them would be justified only based on their mode of action. If absolutely necessary, we can accept it with the EQS of 12,5 µg/l because it provides enough flexibility for the MSs to compensate the differences between the substances.

On the effect based monitoring, pharmaceuticals, reintroduction of the deselected substances and bisphenol we can provide flexibility for the PRES.

#### 2. Horizontal cluster – non deterioration

We can accept the PRES compromise proposal. We maintain our position that the applicability of exemptions is important; however, we can accept the safeguards for the application of the new derogations.

#### 3. Transposition and compliance deadline

##### a) transposition

We have concerns about establishing a fix transposition deadline, because it is important to have sufficient time available, and if the final agreement is delayed, the 22 December 2027 deadline may be difficult to meet. It is crucial that the new requirements can be taken into account in the next planning cycle, but adequate time is also needed for the transposition procedure. The transposition deadline should be part of the final package, if the EP is ready to make compromises and the agreement is reached in September, we can show flexibility.

**b) compliance deadline**

We strongly support maintaining the deadline set in the Council's position with the *mutatis mutandis* clause.

We would like to emphasize that the prompt establishment of the Joint Monitoring Facility is necessary in order to support Member States in the implementation.

## **COMMENTS FROM THE NETHERLANDS**

### **Written Comments on Presidency Steering Note WK 08989/2025 and presentation**

**WK 9254/2025**

**The Netherlands, 9<sup>th</sup> of July 2025**

#### **1. Substances cluster**

##### **Total / sum compromise:**

- Pharmaceuticals

NL: For pharmaceuticals we can support the compromise proposal.

- Pesticides

NL: We do not support the introduction of the sum of pesticides for surface water. We once again like to recall that we prefer the Council mandate, so remove from the list, because it is not in line with the risk-based methodology for deriving EQS values for surface water and is inconsistent with EQS of individual pesticides.

- Bisphenols

NL: For Bisphenols we can support the compromise proposal.

- PFAS and TFA

NL: We do not support the compromise proposal regarding the addition of TFA to the sum of PFAS because we have concerns about the implementation in practice. We do agree that TFA is a PFAS that is found widespread in the environment and should be restricted. But the proposed EQS is not only applicable to new additions in the water but also applicable to projects that only relocate already existing pollutions of TFA. TFA has – even when compared to other PFAS - a (very) ubiquitous nature, is extremely mobile and there is lack of possibilities to remove TFA.

##### ***Deselection of substances***

NL: We can be flexible here.

##### ***Synthetic substances (repository)***

NL: We can be flexible here.

##### ***Effect-based monitoring***

NL: In general NL supports the proposal on effect based monitoring. Since there are still questions on monitoring and assessment methods, it will be useful to develop a guidance. We would like to propose to make explicit that the experts in the Working Group Chemicals are involved in drafting the guidance document. The monitoring effort will increase with this proposal with effect based monitoring. The presidency proposal includes monitoring of 2 years, at least four times during each year. We suggest to lower this to at least two times during each year at the Watchlist monitoring locations.

The effect based trigger value was added to the current obligations by adjusting the definition on 'Good surface water chemical status' (see below proposal Polish Presidency on Annex II, article 2 (24)). Using one-out-all-out, this means that both individual substances and effect based trigger values have to be applied in the assessment. This can only result in a lower score for the chemical status. We can support the proposal if 'OR' is used instead of 'AND' 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.

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) and nd 8d(2) of that of Directive 2008/105/EC, and if available, standardised effect based trigger values, where available.

## **2. Horizontal issues - Non deterioration**

NL: We think the additional conditions of Art. 4.7a.c, 4.7b.d and 4.7b.e are not necessary.

In Art. 4.7a, if 'reliable' ex ante assessment by a competent authority leads to the conclusion that deterioration does not occur beyond 1 respectively 3 years, then ex post verification is superfluous and thus unnecessarily burdensome.

Art. 4.7b only exempts from the deterioration ban and not from the obligation of Art. 7 WFD to prevent a deterioration of quality of a body of water that leads to an increase in the purification treatment level necessary for the production of drinking water (opinion of the Advocate General to the CJEU in Case C-723/21). Thus, relocations of pollution can – as per the WFD – not lead to a problem for the production of drinking water, and the proposed exemption of Art. 4.7b leaves that intact. The conditions of Art. 4.7b.d and Art. 4.7b.e are thus without any reason. The first is superfluous because of redundancy with the system of the WFD, and the second is not only unnecessary but also burdensome as it obliges Member States to establish zones even if it is already guaranteed that the production of drinking water may not be harmed. Moreover, this last condition does not fit well in the structure of the WFD. It requires Member States, when allowing local deterioration of status within a body of water under this exemption, to also prohibit all relocations of water/sediment in such zones around abstraction points, thereby prohibiting also relocations that do not constitute deterioration of status (nor an increase in the purification level).

However, since Member States may rely on existing monitoring schemes for ex post verification (if this suffices) and they may determine the size of the zones to be established around abstraction points, these conditions can be made workable in practice.

Thus, we can support the compromise proposal if this is the only way to include the exemptions of Art. 4.7a and 4.7b into the WFD. However, we do not accept any further or stricter preconditions.

We do have some minor improvements as to the formulation/structure:

1. The new point 14d of the Preamble does not pertain only to the new Art. 4.7b, but also to Art. 4.7a. Hence please do not list it under the heading 'Article 4(7b)'.
2. In this point 14d of the Preamble, please change 'To ascertain that the damages are no longer present' into: 'To ascertain that deterioration of status does not last longer than these time frames'. Explanation: all negative effects, no matter the duration, are allowed under the WFD, as long as they do not constitute deterioration of status.
3. In this point 14d of the Preamble, please add to 'Activities like dumping of contaminants into the water body, including waste, contaminated soil and sewage sludge, can not be allowed' the following: ', as long as they constitute deterioration of the status of a body of water'. Explanation: such activities are allowed under the WFD, as long as they do not constitute deterioration of status. Art. 4.7a and 4.7b exempt from this deterioration ban. They cannot include a separate and absolute ban on dumping contaminants into a body of water.
4. In Art. 4.7b.f, the sentence is now grammatically incorrect. Please change into: 'the reasons for the relocation, including a summary of the information related to criteria a) to g), are set out and explained...' Explanation: the current sentence does not specify a summary of what is required, doesn't match 'summary' (singular) to 'are set out' (plural), and contains a weird passage 'criteria a) to g) the reasons' (one would expect a comma after 'g)' or ', and' or something like that).

## **3. Compliance and timelines cluster**

***Mutatis Mutandis option***

NL: We do not support the Presidency proposal. It is not possible to include a time limit in the mutatis mutandis clause. This clause declares the exception possibilities in Article 4, paragraphs 4 to 9, of the WFD to apply accordingly. It is not logical to allow the exception possibilities for new substances or new values for existing substances to apply for only one cycle, while they apply for an indefinite period for existing substances/values. Allowing the exceptions of, among other things, target reduction or temporary deterioration to lapse will lead to problems/an unworkable situation.

***Fixed dates with differentiated approach***

NL: We do not support the Presidency proposal. The differentiated approach makes it complicated to comply and incorporate it the river basin management plans. We prefer to keep the compliance in line with the six year cycles.

***Reflection on transposition***

NL: We prefer to stay as close as possible to the Council mandate. In NL we need time to convert the directives in national legislation. If this year (2025) a compromise is reached, then 22<sup>nd</sup> of December 2027 will be possible for us.

## COMMENTS FROM 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 2.7.2025 with reference to steering note WK 8989/2025 INIT and Document WK 9254/2025 INIT**

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. Substance cluster**

- **Total / sum compromise:** AT can agree to the compromise proposal to include new annexes in the GWD and EQSD that provide for an examination of possible sum values for pharmaceuticals, bisphenols and plant protection products in the course of the next review. For AT it is important that such sum parameters take into account the different modes of action, the different toxicities and the different potencies of the individual substances.

**Red line:** For these reasons, AT does not support the compromise proposal to include a sum parameter for pesticides and a respective EQS-value in the Annex to the EQSD because different modes of action, different toxicities and different relative potencies are not taken into account. AT proposes that the sum of pesticides should also be moved to the new annex, which is foreseen as a holding place for a next review.

- **PFAS and TFA:** The compromise proposal for the GWD, which includes 5 PFAS with their relative potencies based on PFOA equivalents is in line with SCHEER opinion and with the proposal for surface waters, even if fewer individual PFAS substances are taken into account. However, it should be noted that a re-evaluation of TFA is currently being carried out by EFSA and this re-evaluation will probably be considered in the next revision of the DWD and could lead to a parameter value for TFA in the DWD. This could lead to a lack of coherence if TFA is regulated differently in the GWD and the DWD.

AT agrees with the compromise proposal for surface waters.

- **Deselection of substances:** AT can agree with the compromise proposal, but remains of the opinion that priority substances that do not pose a significant risk at European level should be removed from the list of priority substances. This would ensure that the list of priority substances remains manageable and contains the substances

currently relevant. The previous revisions show that no or very few substances are deleted from the list. Perhaps, for future revisions, consideration should be given to limiting the total number of priority substances.

- **Effect based monitoring:** AT still opines that the Directive should set the objectives and that implementation should be left to the MS. Therefore AT still prefers the Council mandate, but can show flexibility on this point.

## 2. Horizontal issues

- **Non-deterioration clause & exemptions:** AT refers to the previous comments on the proposal for a definition of deterioration and questions the necessity of including ECJ case-law as a definition in the WFD. AT can show flexibility referring to the proposal regarding the new exemptions.

## 3. Compliance and timelines cluster

- **Compliance and mutatis mutandis:** AT could agree to the presented mutatis mutandis compromise option, which is based on the Council mandate and 2013 Directive, allowing the application of the mutatis mutandis clause for one additional management cycle. AT does not support the option with fixed dates and differentiating between substance groups.
- **Timelines for the revision of substance lists:** **Red line:** The review of the substance lists should be done every six years at the maximum as included in the Council mandate.
- **Transposition:** It is unforeseeable, when the revision will be published in the official journal. Therefore AT still prefers the Council mandate and does not support the compromise proposal of a fixed date. As a further compromise, AT would like to propose to combine a fixed date and a time period for transposition and the later date should apply.

Proposal for Art. 4(1): *Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 22. December 2027 or by (date = the first day of the month following 18 months after the date of entry into force of this Directive), whatever is the later date.*

## COMMENTS FROM POLAND

### Poland's comments to questions asked in the Presidency steering note

#### 1. Can you show flexibility to the revised compromise package on substances? If not, where do you see any major potential concerns and red lines?

Total / sum compromise:

##### - Pharmaceuticals

Surface water: PL is against the introduction of 'total' type indicators and also against referring to them in the provisions of the Directives, while appropriate test procedures are not yet available. PL agrees to the sum of pharmaceuticals in the newly created Annex III ("Substances subject to review for possible identification as priority substances or priority hazardous substances"), but only in exchange for the withdrawal of "total" indicators.

Groundwater: PL does not support the introduction of a new indicator "sum of pharmaceuticals" in the GWD and we do not support the creation of a new annex to the GWD and putting the sum of pharmaceuticals there; however, in order to look for the compromise, we can accept an alternative proposal, i.e. to include the pharmaceutical sum in Annex II of the GWD in Part D (repository), but we point out at the same time that the range of pharmaceuticals included in this sum should be in line with the recommendations of the WG Groundwater in the proposal for the first groundwater watch list and in the letter supporting the revision of Annexes I and II of the GWD, which were made by the Groundwater Working Group. I and II of the GWD, which were submitted to the SCG and the water directors and were fully supported by them.

##### - Pesticides

PL does not agree with the introduction of the indicator total pesticides into the text of the Directive (also as a reference to future revisions). As a compromise, PL agrees with the introduction of "total pesticides" for pesticides listed in the Table of Priority Substances, but disagrees with the proposed EQS volumes for it due to the failure to provide scientific justification for them. PL also disagrees with the addition of footnote 33 to 'total pesticides', as 'total pesticides' would be a calculation indicator, not requiring separate chemical analyses.

At the same time, referring in general to footnote 33 in the table in Annex I of the EQSD, PL considers that the wording established in the Council mandate should be reinstated: "The minimum performance criteria for the limit of quantification, as laid down in Directive 2009/90/EC, should be applied to each individual substance within a given group of substances when the best available analytical techniques applied in the member state allow it. ", since, on the one hand, the limit of quantification (LoQ) can be set for a given individual substance (even if the determination is carried out serially, for many substances in a group), on the other hand, the so-called QA/QC Directive (Commission Directive 2009/90/EC) says that the LoQ should not exceed 30% of the EQS, without distinguishing whether it is the EQS for a single substance or for a group of substances. Thus, footnote 33 as per the Council mandate rightly clarifies the interpretation of the LoQ requirements.

PL is against the currently proposed wording of footnote 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.”* because in the case of indicators that are a group of single compounds (e.g. isomers/congeners) for which only a summed EQS has been determined (polybrominated diphenyl ethers, dioxins, cypermethrin, hexabromocycododecane), it will imply the need to

determine LoQs against partial EQSs determined on the basis of the contribution of each compound to the total concentration of the group of substances. Both the provisions of the EQSD and the QA/QC Directive do not mandate the calculation of sub EQS, and therefore footnote 33 as worded is an over-regulation to the essential provisions of the Directives. In addition, the determination of the contribution of each compound to the total concentration of a group of substances requires prior measurement of the concentrations of those compounds, using a methodology to ensure LoQs in accordance with footnote 33, which is a so-called vicious circle and not feasible.

- Bisphenols

Surface water: The addition of a new indicator in the form of total bisphenols represents an additional financial and logistical burden. As a compromise, some flexibility could be shown and agree to total bisphenols being introduced in the newly created Annex III ("Substances subject to review for possible identification as priority substances or priority hazardous substances"), provided that the indicator "total bisphenols" is not included in the provisions of the Directives.

At the same time, PL does not agree with the provisions stipulating - even in the form of an incentive/suggestion in the preamble of the Directive - the testing of bisphenols (in addition to BPA, which is included in the priority substances) as river basin specific pollutants. A watch list is an appropriate tool to investigate the occurrence of these substances on an EU scale.

Groundwater: PL does not support the creation of a new annex to the GWD and the inclusion of a new indicator 'total bisphenols' in it.

- PFAS and TFA

Surface water: PL supports the view of other Member States to add TFA to the sum of PFAS. At the request of the Commission, EFSA is revising the reference values for TFA, which may not only be a stand-alone substance, but also occur as a breakdown product of PFAS. This leads to the assumption that also the EQS for the sum of PFAS should be revised if TFA is added, while the value proposed is the same as for the sum of 24 PFAS.

Groundwater: Poland does not support the introduction of a highly stringent PFAS total of 4 into Annex I of the GWD and the addition of a new TFA to this total; moreover, it is unclear why the value for PFAS total of 5 should be the same as it was for PFAS total of 4; moreover, we note that the SCHEER recommendation for TFA in the opinion of March 2025 refers to PFAS total of 25 for surface water and not to PFAS in groundwater.

We also note that there are errors in the proposal for Annex I of the GWD presented by the PREZ DK in the Steering note that need to be corrected with regard to, inter alia, the stated parametric value of the sum of 20 PFAS and the reference numbers.

- Deselection of substances

PL does not support such a small number of substances subject to deselection, but understands the EC's arguments regarding the need to test substances under the Stockholm Convention. PL does not agree with the reinstatement of atrazine on the list of priority substances and the EQS values proposed by the EP for this compound.

- Effect-based monitoring

PL does not support the introduction of mandatory EBM studies, as there is not yet a methodology/standards/SOP (standard operating procedure) provided by the EC according to which studies could be carried out in all member states with adequate comparability of results. There is also no indication in the directive's provisions as to what will happen after the 2-year period of estrogen monitoring by EBM methods. We note that the effort and resources to set up EBM laboratories will outweigh the potential benefits of the information gained.

**2. Can you accept the revised text on the non-deterioration exemptions?**

PL does not agree with the introduction of provisions for additional ad-hoc monitoring for ex-post verification of negative impacts on water status. Annex V of the Water Framework Directive defines 4 types of water monitoring (surveillance, operational, investigative, Monitoring for Protected Areas) and sets out the rationale for their conduct, scope and frequency. Operational monitoring is used to study the impact of pressures on water status, and thus for the above-mentioned verification, while possible complementary studies in this respect may be conducted as part of investigative monitoring. The introduction of so-called additional ad-hoc monitoring will therefore be an overregulation that is not reflected in other provisions of the WFD. In addition, the provisions proposed by PREZ DK do not specify how (scope, frequency) the so-called additional ad-hoc monitoring should be carried out.

**3. If possible, which parts of the compliance cluster are the most important to you (timelines, transposition, mutatis mutandis...)?**

PL considers that every part of the compliance cluster are important. PL calls for the records to be restructured and substances to be separated according to whether only EQS have been changed or whether they are new substances. Substances with updated EQS should have until the end of 2033 to achieve good chemical status. In addition, PL considers that 2 full planning cycles are needed to achieve good chemical status for new substances.

Transposition :

For PL, maintaining the 24-month deadline is one of the key points throughout the document. We are not sure today when the legislative work will be completed. We should not indicate a hard deadline. The amount of amendments is significant and concerns as many as 3 directives relevant to water management. We believe that 24 months is the minimum needed.

## **COMMENTS FROM PORTUGAL**

Comments of the Portuguese authorities following the WPE meeting on Priority Substances in Water.

1. Mutatis Mutandis option (slide3): **Flexibility;**
2. Fixed dates with differentiated approach (slide 4): **Flexibility;**
3. Reflections on transposition (slide 5): **PT can accept the Compromise** proposal of 22 December 2027 for the transposition of the Directive if it is adopted until December 2025. The 24-month deadline for transposition is important, as it involves the 3 Directives.

Thank you for a very informative and professional first meeting!

Please find our comments in **blue** below.

# Priority Substances in Water

Wednesday 2<sup>nd</sup> of July 2025

## Presidency steering note

The aim of the incoming DK Presidency on the priority substances file is to continue the good work of the PL Presidency and to conclude a 4<sup>th</sup> trilogue with the European Parliament in the beginning of the DK Presidency term.

At the Working Party on Environment on 2<sup>nd</sup> of July, the DK Presidency intends to discuss the updated compromise proposals on some of the outstanding political issues, also taking into account previous comments received from delegations during the PL Presidency. The DK Presidency proposes to organise the discussions into two table rounds; one table round for substances, and one table round for non-deterioration, compliance and timelines cluster. For the last cluster on compliance and timelines, the DK Presidency will present some overall reflections on possible landing zones with the European Parliament, based on discussions at technical level.

To get a clearer picture, and with a view of reaching an interinstitutional agreement with the European Parliament soon, Delegations will be asked whether they can show flexibility and accept the proposed compromises set out in the annex to this steering note, and if this is not the case, the DK Presidency kindly requests Delegations to clarify any major potential concerns and red lines.

### 1. Substances cluster

- **Total / sum compromise**
  - o **Pharmaceuticals**
  - o **Pesticides**
  - o **Bisphenols**
  - o **PFAS and TFA**
- **Deselection of substances**
- **Synthetic substances (repository)**
- **Effect-based monitoring**

### 2. Horizontal issues

- **Non-deterioration**

### 3. Compliance and timelines cluster

- **Compliance**
- **Transposition**
- **Mutatis mutandis**

### 1. Substances cluster

Several changes have been made to the compromise (annex I to this steering note) in since being discussed previously during the PL Presidency, also taking into consideration the latest round of comments by Delegations.

# WORKING PARTY ON THE ENVIRONMENT

## Pharmaceuticals and effect-based monitoring

Pharmaceutical substances for both surface water and groundwater are part of the compromise proposal of total/sums.

In **groundwater**, the DK Presidency suggests **placing sum of pharmaceuticals in a new Annex V to Directive 2006/118/EC as a holding place for a next review**. Many Member States questioned the reasoning behind the eight selected pharmaceuticals and the sum of them. A sum should be based on modes of action, and therefore more work is needed before scientifically meaningful sums can be suggested.

As in the Council mandate, the following three individual pharmaceutical substances in groundwater are placed in Annex I to Directive 2006/118/EC: Carbamazepine, sulfamethoxazole and primidone. In Annex II part D 'individual pharmaceutical substances' is placed.

### **Comment from SE: SE can agree to this proposal**

For the European Parliament, it is important that work on **effect-based monitoring** is still proceeding. For that reason, the DK Presidency proposes to still make effect-based monitoring for estrogenic pharmaceuticals mandatory in **surface water**. No changes have been made to the previous PL Presidency compromise.

### **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.**

As a part of the compromise, the Commission should also consider setting standards for the **sum(s) of selected pharmaceuticals, based on mode of action, in a next review**. This will be done by the re-introduction of Annex III to Directive 2008/105/EC as a holding place. Furthermore, the Commission should also consider setting standards for the total pharmaceuticals, supported by appropriate monitoring methods.

### **Comment from SE: SE can agree to this proposal**

## Pesticides

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

The compromise for sum of pesticides in **surface water** is an EQS for the **sum of the pesticides that are already included in the list of priority substances** to be monitored in water, except the four pesticides to be monitored in biota or sediment (hexachlorobenzene, tributyltin, dicofol, heptachlor) and glyphosate. The suggested EQS is 0,1 µg/L, and this EQS should be taken into account when assessing chemical status.

### **Comment from SE: SE can agree to this proposal but would have preferred to await the development of standard(s) for the sum(s) of selected pesticides by mode of action.**

As a part of the compromise, the Commission should also consider setting a standard for the **sum(s) of selected pesticides by mode of action** in the new Annex III to Directive 2008/105/EC. For the next review, the Commission should also consider setting a total pesticides EQS in surface waters, supported by an appropriate monitoring method.

### **Comment from SE: SE can agree to this proposal**

## WORKING PARTY ON THE ENVIRONMENT

Regarding the **list of non-relevant metabolites of pesticides** to be established by the Commission for the Groundwater Directive, the DK Presidency – as previously suggested by the PL Presidency – asks Delegations to show flexibility as the deadline of 6 months has been considered non-feasible. More time is needed in order to ensure coherence with pesticides and drinking water legislation. In footnote 4, this list of non-relevant metabolites of pesticides to be made available by Commission is deleted as it must be included in the operative text (proposal is underway).

**Comment from SE:** We do not object to extend the DL for COM to establish a list of non-relevant metabolites.

The EQS for non-relevant metabolites of pesticides is still under discussion, however, the DK Presidency suggests to raise this for the total to 12,5 µg/L to create more flexibility for Member States.

**Comment from SE:** SE can agree to this proposal

### Bisphenols

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

As a compromise, Bisphenol-A is added to the list of substances in Annex I to Directive 2008/105/EC and designated as a priority hazardous substance. Furthermore, a **sum of Bisphenols is included in Annex III to Directive 2008/105/EC as a holding place**, for the Commissions to consider for a next review. The Commission should also consider establishing an EQS for 'Bisphenols Total' though this is not a part of the annex.

**Comment from SE:** SE can agree to this proposal

It is important for the European Parliament that Bisphenols are handled, and it is suggested that Member States should give particular consideration to identify and monitor at least Bisphenol B and Bisphenol S as River Basin Specific Pollutants, and where relevant, report these in line with Article 8(4) of Directive 2000/60/EC so that the risk from the sum of those can be properly assessed in the next review. The Commission should also consider listing the **sum of Bisphenols** in a next review, which is why it is proposed to be part of the new **Annex V in Directive 2006/118/EC**. Appropriate monitoring methods should be available for both groundwater and surface water.

**Comment from SE:** SE can agree to this proposal

### PFAS including TFA

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

The current compromise for **groundwater** is that **TFA is added to the sum of 4 PFAS**. The quality standard for this sum is suggested to be 0.0044 µg/L in PFOA equivalents because of the difference in toxicity of the substances. TFA is found widespread in the environment, and there are many sources. One source is from degradation of pesticide active substances, and TFA is considered a relevant metabolite. This means that for TFA, **the quality standard for relevant metabolites in groundwater apply to TFA**.

**Comment from SE:** SE can agree to this proposal

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Furthermore, a **quality standard for the group of 20 PFAS** as listed in point 3 of Part B of Annex III to Directive 2020/2184 is set in Annex I of Directive 2006/118/EC, by way of reference to the parametric value and for the substances for that group in Directive 2020/2184 in order to ensure that any change to that value and the substances should automatically be incorporated into Directive 2006/118/EC.

**Comment from SE:** SE can agree to this proposal

For **surface water** the compromise is that a sum of 25 PFAS (24 PFAS + TFA) is included in Annex I to Directive 2008/105 with a quality standard of 0,0044 µg/L in PFOA equivalents.

**Comment from SE:** SE can agree to this proposal

## Synthetic substances

Primidone is deleted in Directive 2006/118/EC Annex II, part B, point 2, as it is already included in Directive 2006/118/EC Annex I. These changes can be found in annex II of this steering note.

**Comment from SE:** SE can agree to this proposal

## Deselection of substances

According to existing rules, if these substances are not found in the monitoring by Member States, the frequency for monitoring can be extended to up to every 18 years (every 3<sup>rd</sup> River Basin Management Plan). For the European Parliament, it has been important to keep atrazine in, which is why the DK Presidency seeks flexibility on this substance. The EQS for atrazine has also been lowered.

The current proposal is to keep as deselected substance 31 (trichlorobenzene) but to reinsert:

- Atrazine (4). Delegations are asked to show flexibility to reinstate atrazine in Annex I even though atrazine has not been approved as a pesticide active substance since 2004. The EQS is suggested to be 0.1 µg/L in fresh water and 0.01 µg/L in salt water.
- 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) - as 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.

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## Questions for Delegations:

- Can you show flexibility to the revised compromise package on substances?
- If not, where do you see any major potential concerns and red lines?

**Comment from SE:** To conclude, we can agree to the proposed changes in the revised compromise package. Please see some details in the comments above.

## 2. **Horizontal issues**

The DK Presidency suggests some flexibility towards Parliament, amending the Council mandate for short-term deteriorations and relocations without a net increase in pollution, by adding safeguards and making existing safeguards explicit and/or more specific (annex III to this steering note).

For **short-term deteriorations**, the proposal emphasizes the need for reliable ex-ante assessments, introduces ad hoc ex-post verifications where current monitoring is insufficient, and requires that relevant ex-post findings be integrated into the River Basin Management Plans. Regarding **relocations** without a net increase in pollution, the proposal specifies that treatment should be applied where feasible to minimize the transfer of pollutant load. It also clarifies that the ecological status of the water body should not fall into a lower class and that the receiving water body is already not in good chemical status, particularly as regards the most persistent and bioaccumulating pollutants that are relocated. Additionally, it emphasises the protection of drinking water resources at the abstraction point through prohibiting relocation in a zone around such points and mandates that relocation should not result in increased purification requirements for drinking water.

## Question for Delegations:

- Can you accept the revised text on the non-deterioration exemptions?

**Comment from SE:** We can accept the revised text.

## 3. **Compliance and timelines cluster**

In order progress further on technical level, the DK Presidency would like to present some overall ideas on possible landing zones regarding **compliance, timelines, transposition and mutatis mutandis**. Delegations will have the opportunity to send comments after the Working Party on Environment, however, the DK Presidency hopes to get some preliminary views from Delegations on this cluster at the meeting.

## Question for Delegations:

- If possible, which parts of the compliance cluster are the most important to you (timelines, transposition, mutatis mutandis...)?

**Comment from SE:**

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**Ttransposition**: We have previously stated several times that it is important for SE that the transposition date is 22 of December at the latest. Thus, we can support the compromise proposal. However, we would like to draw your attention to that our experts have pointed out that, according to the interinstitutional agreement, the implementation period cannot exceed 24 months.

**Mutatis mutandis or fixed DL**: According to our experts there are no large differences between the two options. We support the mutatis mutandis option, but this is not a red line.

**COMMENTS FROM THE SLOVAK REPUBLIC** Priority Substances in Water  
(8/7/25):

1. SK agrees with the **compromise proposal** of the DK PRES regarding **transposition**, which will harmonize the **setting of the Programme of Measures** in the **River Basin Management Plans**. However, we emphasize that **transposition into national legislation** can only occur after the **final adoption of the directive**, which at this point cannot be predicted. If the **revised directive** enters into force on **1 September 2025** (as previously announced), then **transposition by 22 December 2027** is realistic. In that case, we agree with a **fixed transposition date** (22 December 2027). However, if the **entry into force** is delayed (e.g. until 2026), we insist on **formulating the transposition deadline as a time period** (i.e. 24 months), as stated in the **Council mandate**.
2. We agree with the **deadlines for compliance with new substances** (**new pharmaceuticals, PFAS, new pesticides, industrial substances, bisphenol, silver**) set for **2033, 2039, and 2045**.
3. Regarding the “**non-deterioration**” formulation, SK agrees with the **compromise text** of **Article 4.7(a)** and **Article 4.7(b)** and with **recital 14d** — as submitted by the **Danish Presidency** in **document WK08989.en25**.
4. We agree with the **compromise proposal** and have no comments concerning **PFAS substances** (including the **TFA metabolite**), **pharmaceuticals**, and **non-relevant pesticide metabolites**. Slovakia is flexible on the **postponement of the deadline** for the **European Commission** to prepare the **list of relevant pesticide metabolites**.
5. SK do **not support duplicate monitoring (effect-based monitoring)**, nor do we support **mandatory effect-based monitoring in surface waters**.