



MEDIA ADVISORY

MEPs expected to insist on better poison control for surface water

(Strasbourg, 21 May) - Environment and health NGOs are concerned that in their plenary vote¹ tomorrow, MEPs will probably reconfirm the weak cross-party compromise previously reached in the Environment Committee, which aims to improve the Commission's weak proposal for a Directive on priority substances and environmental quality standards for water.

Prevention's cheaper than cure

Cleansing poisoned water to make drinking water costs far more than reducing chemical pollution at source. If it is properly designed and implemented, the new law would reflect the 'polluter pays' principle: polluters would have to shoulder the relatively low cost of reducing pollution, so the public would no longer have to pay the bill for removing toxic chemicals from drinking water, as currently happens in many countries. But exemptions are far-reaching, the timeline is too long to comply with the EU's international commitments, and the list of pollutants covered is too limited to ensure 'good' chemical status². Parliament's expected improvements can only partly tackle these serious shortcomings.

Priority and priority hazardous substances in water

Under Article 16 of the Water Framework Directive (WFD), this proposal was supposed to ensure the control and phase-out of emissions of priority and priority hazardous substances into the EU's fresh water. These pollutants are a major threat to our inland and marine aquatic ecosystems, drinking water and health, due to their persistent, bioaccumulative, toxic and other hazardous properties, such as hormone-mimicking (endocrine disruption). But the NGOs believe the Commission's proposal is inadequate, and falls far short of considering the most important pollutants. The NGOs feel it needs a more systematic approach based on screening hazard information and use data, more of which will become available as REACH is implemented.

No emissions-control tools for Member States

NGOs regret that the Commission's proposal does not include any effective measures to control emissions of the most hazardous substances as had been the mandate from the WFD. They believe the Directive should have provided for direct controls, since the new REACH regulation, pesticides legislation and the IPPC Directive³ cannot systematically detect chemical pollution of water, and in serious cases will be unable to eliminate the cause at source. NGOs warn that these three pieces of legislation will not effectively cover all emissions which are relevant to the EU (eg losses from vehicle brakes and tyres, dental waste, sewage from hospitals or other medicine-related discharges). Under REACH, it may

¹ Proposal for a Directive on Environmental Quality Standards in the Field of Water Policy and for amending the Water Framework Directive 2000/60/EC (Com(2006)-C 6 – 0243/2006 – 2006/0129 (COD))

² "Good surface water chemical status" according to the Water Framework Directive

³ The Integrated Pollution Prevention & Control Directive requires permitting of larger industrial installations.

be decades before, for example, the environmental effects of substances used in cosmetics, such as environmentally-harmful sunscreen ingredients, can be addressed.

Environmental quality standards

This Directive establishes EU-wide environmental quality standards (comparable to threshold values) for a few substances present in water. These quality standards are meant to define the 'good' chemical status of our water which (according to the WFD) Member States must achieve by 2015. If the Commission had respected the WFD, the standards would have included maximum values for sediment and biota such as fish, where some pollutants tend to accumulate owing to their properties. NGOs hope MEPs will back specific provisions which won a large majority in the Environment Committee and which will foster this more targeted monitoring that will provide a better picture of actual pollution.

The compromise packages

The weak cross-party compromise on the table tomorrow was adopted in March by the Environment Committee with a large majority. While the package would nearly double the list of toxic chemicals which EU countries must measure in their water, it foresees that the Commission should reconfirm those chemicals and eventually propose limit-values. Despite strong lobbying from industry and even the British Government to exempt key pollutants such as the hormone-mimicking TBBP-A from the measurements, it seems today that the cross-party minimal compromise (Amendment 65) will prevail unchanged tomorrow. For substances such as PFCs⁴, compliance with limit values in surface water would be required by 2015.

International commitments not respected

In international agreements to protect the marine environment (eg OSPAR⁵ and HELCOM⁶), the EU has committed itself to phasing out several key pollutants by 2020. The cross-party compromise package includes a possible phase-out requirement for some of those substances such as PFOS, but the deadline is only 2025. The NGOs believe that a majority of MEPs will again support upgrading several pollutants from the OSPAR-list from 'priority' to 'priority hazardous' and pollutants of 'equivalent concern'⁷ such as DEHP⁸.

PBTs are substances with three main qualities. They are persistent as they do not break down and thus circulate freely in the environment for long periods. They are bio-accumulative since they build up in the food chain and have been found, for example, in eels, polar bears and even human blood and breast milk. Finally, PBTs cause a raft of harmful effects including being toxic to water organisms and our health, and may cause cancer and alter genes.

'Poison zones' allowed

With its new 'transitional areas of exceedance' device, the Commission proposed a means to undermine the Water Framework Directive (WFD) which requires the achievement of 'good' chemical status of all surface water by 2015. Although the Agriculture Committee and various

⁴ PFCs have been found in drinking water and fish has been too contaminated for human consumption. They have also been found in human breast milk and even in polar bears' fatty tissue which proves that these toxics travel long distances without degrading.

⁵ OSPAR Commission for the Protection of the Marine Environment of the Northeast Atlantic:

<http://www.ospar.org>

⁶ HELCOM: The Helsinki Commission is the Baltic Marine Environment Protection Commission:

<http://www.helcom.fi>

⁷ Article 2 (WFD) 29. [priority] "Hazardous substances. means substances or groups of substances that are toxic, persistent and liable to bio-accumulate, and other substances or groups of substances which give rise to an equivalent level of concern." So far the Commission has ignored that equivalent concern is part of the definition.

⁸ DEHP

Environment Committee members recommended deleting this concept of 'poison zones', the concept is retained in the weak cross-party compromise (Amendment 35) which at least clarifies that the zones must disappear by 2018. Tomorrow the environment and health NGOs will comment on the outcome.

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