

Swimming Up-Stream

The EU Water Framework Directive

Svemins miljökonferens 2017

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- ≡ Introduction to Euromines
- ≡ EU Water Framework Directive: Current Status
- ≡ EU Water Framework Directive: Future Reform
- ≡ Conclusion

Euromines – who we are



- ≡ Recognized representative of the European mining industry;
- ≡ Service provider to its members with regard to EU policy;
- ≡ Network for cooperation and for the exchange of information throughout the sector within Europe;
- ≡ Link to contacts with the mining community throughout the world.



Our Key Messages



RESOURCES

- *We strongly believe that Europe has viable mineral resources*

DEMAND

- *Member State governments should determine the raw materials required to meet their different policy aims*

STANDARDS

- *Maintain an enabling environment which provides highest standards, excellency and leadership of the European extractive industry*



EU Water Framework Directive

Current Status



- ≡ Review of the Priority Substances list:
 - = Ten substances shortlisted in 2016 (incl. Ag, Se, U), but
 - = **Fact Sheets lack data and have not been peer-reviewed**
 - = Expert sub-groups to be formed to peer-review the fact sheets and derive Environment Quality Standards in 2018
 - = Contractor to co-ordinate consultation of stakeholder experts and provide drafts by Summer 2018

Judgement C-461/13

- ≡ Basically, there is deterioration of a surface water body as soon as the status of at least one of the quality elements is lowered
- ≡ In such cases, Member States must refuse authorisation or apply an Article 4§7 exemption
- ≡ EU Guidance exists:
 - = N° 4 – Heavily Modified Water Bodies
 - = N° 13 - Classification of Status & Potential
 - = N° 20 – Article 4§7 Exemptions



New Guidance No. 35

Article 4 (7) WFD



- ≡ Exemption in Art. 4 (7) (c): reasons of overriding public interest and/or the greater benefits to the environment, human health, human safety or sustainable development
- ≡ Interpretation of the term “overriding public interest” in Guidance Document No 35
- ≡ Exemption must be possible even after Judgement C-461/13 in order to satisfy the ***proportionality principle***

Meanwhile, back at the waterways

- ≡ **74% EU waters in good chemical status**
- ≡ Much reduced unknown chemical status compared to 2010 reporting
- ≡ Relatively few substances reported as causing most of the failures in surface waters – including:
 - = Hg, Ni, Cd, Pb, Zn, Cu, Co, Se, U, As
- ≡ Monitoring and assessment tends to emphasize well known and regulated chemicals (metals) and to overlook emerging compounds



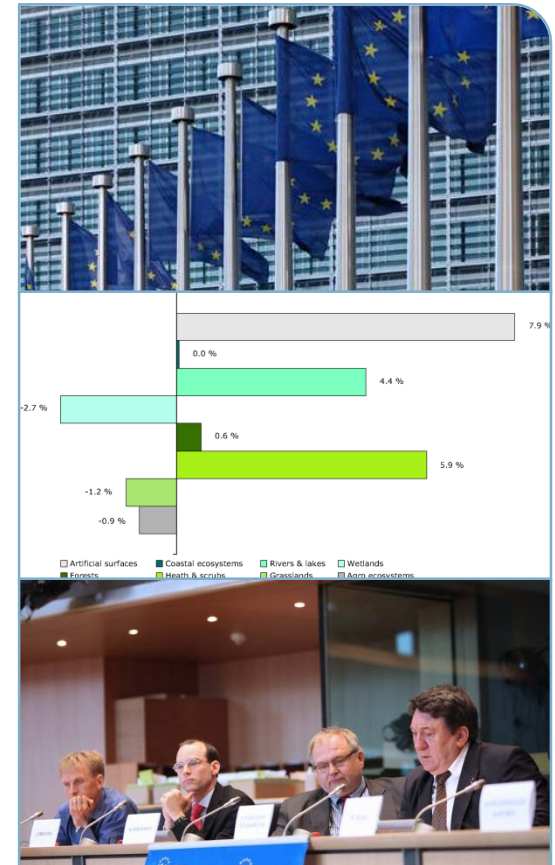
EU Water Framework Directive: Future Reform



- ≡ Water Framework Directive must be reviewed by 2019
- ≡ No update of the EQS Directive possible before then
- ≡ Proposed to combine EQSD revision with WFD review
 - = Explore possible ways to address combination effects of chemicals and identify emerging pollutants
 - = Passive sampling for some categories of substances
 - = Better data on contaminants accumulated in sediments
 - = Guidance on bio-availability & natural background of metals
- ≡ Meanwhile, 2018 EU-EQs for “voluntary” use in 3rd River Basin Management Plans

Timetable

- ≡ 2017: studies launched
- ≡ 2018: (Draft EU-EQs for PS candidates)
(New Watch-List Decision)
Report to Parliament and Council
- ≡ 2018: (New EU-EQS for PS candidates)
Public consultation & conference
- ≡ 2019: WFD Review Report in the Spring
WFD Review Proposal in the Fall





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