

Cefic views on the Revision of lists of pollutants affecting surface and groundwaters

According to the EEA¹, the water resources continue to be under stress due to the increasing societal use and release of pollutants to water. The report shows that although the overall quality and knowledge of waters have improved over the past years, there are still a few challenges to achieve good chemical status. Cefic supports the revision of lists of pollutants affecting surface and groundwaters based on new scientific developments and on a thorough data collection involving a proper consultation of relevant stakeholders.

As 'industry of industries', our molecules and materials are used in every industry from agriculture to construction, energy, health care, textiles, and transportation. We produce the building blocks and high-tech materials on which a modern, low-carbon, resource-efficient society is built. In the chemical industry, fresh water is essentially used for heating, cooling, process and transport. A Responsible Care® registered industry sector, we aim at investing in the best available technologies and adopting the best practices to reduce our industrial emissions to water based on thorough risk assessment. Thanks to our industry continuous improvement effort, we have been able to lower our emissions to water².

In this paper, Cefic would like to share its views on the above-mentioned initiative.

Water Framework Directive and European legislative initiatives

Cefic supports the EU Green Deal. To this end, we support the overall strategic direction stated in the EU Action Plan Towards a Zero Pollution Ambition for air, water and soil. We welcome the orientation given in the 8th Environmental Action Programme (EAP) to reduce the environmental footprint of our societal activities while caring for European citizens' well-being and restoring biodiversity.

While implementing the strategy, it should be ensured that the **coherence between the existing legislations and the initiatives coming from the Green Deal is improved**, while avoiding the overlapping of objectives. Impact assessments must include technical evaluation as well as a cost versus benefit evaluation.

Cefic also believes it is crucial to **strengthen the collaboration between all stakeholders** in order to ensure an effective implementation and enforceability of measures.

¹ European Environment Agency: [European waters – assessment of status and pressures 2018](#); EEA Report No 7/2018

² [Responsible Care](#) is the global chemical industry's unifying commitment to the safe management of chemicals throughout their life cycle, while promoting their role in improving quality of life and contributing to sustainable development. [Cefic Responsible Care Key performance indicators – 2017](#) shows that the companies have reduced the quantity of nitrogen in water by 30% and the phosphorus by 40% over the past ten years.

Overall revision process approach

Cefic supports a prioritization process based on **risk assessment** as in the previous revisions of the priority substance lists. We support the priority substances list that should include only the substances that are of EU wide relevance for which EU wide risks are clearly identified. The same is valid for the list of substances listed with groundwater quality standards in the groundwater directive. Assessments done by JRC in 2014 – 2016 (under the 2nd review of PS) indicate that today new priority substances cannot be easily identified anymore. EU wide measures adopted in the past 15 years (like REACH, IED or the Plant Protection Products Directive) are clearly delivering on preventing EU wide risks to the aquatic environment. Some substances extensively monitored in the past, have meanwhile undergone already quite some measures to reduce the risk. Re-evaluation should only be done in cases where there is sound evidence that high EU risk still exists.

We would like to highlight the key importance of **high-quality data** in the revision process (EQS/ Predicted No Effect Concentration (PNEC), monitoring data). Dossiers prepared for new short-listed substances need to be properly finalised before being made available for further use). It is crucial to set a **clear and realistic timeline/schedule** for finalisation of the dossiers, allowing relevant stakeholders to submit data and to properly review draft dossiers.

In addition, **finalised dossiers should be fully transparent** and clearly reflect different opinions of stakeholders where no consensus can be reached. For cases where full consensus on the PNEC for substances cannot be reached within a realistic timeframe, the dossiers should clearly reflect the different opinions and outstanding issues. This is important to ensure that the PNEC values are based on sound science and can be implemented at local level without any further considerations.

Finally, the de-selection of substances from the priority (hazardous) substance lists as well as the substances listed in Annexes I and II of the Groundwater Directive should carefully be evaluated and put into effect based on the principles set out above.

Synergies with REACH in the context of Chemical Strategy for Sustainability

Seeking for efficiency in the one substance-one assessment principle, we would recommend completing the identification of substances as PMT/vPvM, PBT/vPvB, ED under REACH before considering their inclusion in the priority substances list.

Cefic is looking forward to sharing its ideas and exploring potential policy solutions with the European Commission and Stakeholders in due course.

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About Cefic

Cefic, the European Chemical Industry Council, founded in 1972, is the voice of large, medium and small chemical companies across Europe, which provide 1.2 million jobs and account for 17% of world chemicals production.