



EUROPEAN COMMISSION

Brussels, 18.10.2012  
C(2012) 7244 final

*Dear President,*

*The Commission would like to thank the Polish Senate for its Opinion on the Commission Proposal for a Directive of the European Parliament and of the Council amending Directives 2000/60/EC and 2008/105/EC as regards Priority Substances in the Field of Water Policy {COM(2011) 876 final} and apologises for the delay in replying.*

*The Commission welcomes the Polish Senate's support for the Commission's initiative to ensure more effective protection of the environment and human health against the adverse effects of priority substances.*

*The Commission notes the concerns expressed by the Polish Senate regarding the costs that it considers would arise from the proposal and their possible impact on economic activity. We also note the comment that the potential costs of measures proposed by the Commission are not detailed per Member State.*

*In the course of preparing its proposal, the Commission carried out a detailed Impact Assessment on the basis of information gathered from Member States and stakeholders who were invited to contribute over a period of nearly a year. The information obtained, which is presented in individual substance reports and the Impact Assessment itself {SEC(2011) 1547 final}, led to the conclusion that no disproportionate costs could be identified.*

*The proposal does not include any EU-level measures. It recognises that Member States will be in the best position to determine whether local or national measures could be taken to meet the objectives of the Water Framework Directive. The Impact Assessment refers to the option available to Member States to apply exemptions on the grounds of disproportionate cost, technical unfeasibility or natural conditions, provided that the necessary conditions are fulfilled.*

*The Impact Assessment considered the possible distributional effects of the preferred policy package, as they might affect different industry sectors, geographical regions or user groups, and concluded that the preferred options did not appear to have significant unfair distributional impacts when the baseline is taken into account. Indeed, it notes that the application of harmonised Environmental Quality Standards (EQS) provides a*

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*more level playing field for industry than when only a few Member States set an EQS or when the national EQS are very different.*

*The total additional monitoring costs for the 15 new substances would be small in comparison with the overall monitoring effort required by the Water Framework Directive.*

*The provisions in the proposal for substances behaving as Persistent, Bioaccumulative and Toxic (PBT) substances will allow for a lower monitoring intensity for many of the substances that are either no longer used or already heavily regulated. This would mean that some monitoring costs could be diverted into monitoring substances on the watch list.*

*The Commission foresees full involvement of the Member States in the selection of substances for inclusion in the watch list by way of the Common Implementation Strategy for the Water Framework Directive.*

*I hope that these clarifications address the comments raised in the Opinion submitted by the Senate and I look forward to continuing our constructive political dialogue in the future.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*